

The Gazette of India



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Separate paging is given to this Part in order that it may be filed as a separate compilation

NOTICE

The undermentioned Gazette Extraordinary were published upto the 25th Feb. 1964 :—

Issue No.	No. and Date	Issued by	Subject
50.	S. O. 657, dated 21st February, 1964.	Ministry of Information and Broadcasting.	Approval of films specified therein.
51.	S. O. 658, dated 21st February, 1964.	Ministry of Steel, Mines and Heavy Engineering.	Amendment to selling prices of prime quality Steel and Semis.
52.	S. O. 659, dated 20th February, 1964.	Ministry of Finance.	The Dadra and Nagar Haveli and Goa, Daman and Diu (Taxation Concessions) Order, 1964.
	S. O. 660, dated 20th February, 1964.	Ditto	The Pondicherry (Taxation Concessions) Order, 1964.
53.	S. O. 724, dated 25th February, 1964.	Delimitation Commission.	Proposals in respect of the distribution of the seats allotted to the State of Andhra Pradesh in the House of the People and the seats assigned to the Legislative Assembly of that State.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 24th February 1964

S.O. 737.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, and in supersession of the Notification of the Government of India in the Ministry of Home Affairs No. 1/9/63-F.III dated the 28th February, 1963, the President, with the consent of the Government of Orissa, hereby entrusts also to the Deputy Inspector General of Police, C.I.D. and Railways, Orissa, under the Government of Orissa, the functions of the Central Government in making orders of the nature specified in clauses (a), (b), (c) and (cc) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;
- (b) that in the exercise of such functions the said Deputy Inspector General of Police shall comply with such general or special directions as the Government of Orissa or the Central Government may from time to time issue; and
- (c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/13/64-F.III.]

FATEH SINGH, Jt. Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 24th February 1964

S.O. 738 No. CPEO/7/64.—In exercise of the powers conferred by Section 3 of the Emigration Act, 1922 (7 of 1922), the Central Government hereby appoints Shri A. L. Puri, Superintendent, Regional Passport and Emigration Office, Calcutta, to be the Protector of Emigrants for the port of Calcutta, with effect from January 29, 1964.

[No. F. 3(51)PV-IV/60.]

S. K. BANERJI,

Controller General of Emigration and Addl. Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 21st February 1964

S.O. 739.—In pursuance of sub-section (5) of section 10 of the Emergency Risks (Goods) Insurance Act, 1962 (62 of 1962) read with paragraph 23 of the Emergency Risks (Goods) Insurance Scheme, the Central Government hereby publishes, as follows, an account of the sums received

into and paid out of the Emergency Risks (Goods) Insurance Fund during the year ending with the 31st March, 1963 :—

Account of the sums received into and paid out of the Emergency Risks (Goods) Insurance Fund during the year ending with the 31st March, 1963.

	<i>Receipts</i>		<i>Expenditure</i>	
	Amount Rs. nP.	Progress of receipts upto the 31st March, 1963	Amount Rs. nP.	Progress of expenditure upto 31st March, 1963
1. Insurance Premium	2,70,00,000.00	2,70,00,000.00	1. Remuneration and expenses of Govt. Agent, and cost of forms	.. ..
2. Advance from the Consolidated Fund of India Under Section 10 (3)	.. ..		2. Payment of liabilities under the Emergency Risks (Goods) Insurance Scheme and remunerations of and expenses of Loss Assessors appointed under the Scheme	.. ..
			3. Refund of premium under Section 13 or under paragraph 17 of the Scheme	.. ..
			4. Repayments of advances made under section 10 (3)	.. ..
			5. Other Miscellaneous expenditure (showing details if necessary)	.. ..
3. Miscellaneous	.. ..		6. Sums disposed of in accordance with section 10(4)	.. ..
TOTAL	2,70,00,000.00	2,70,00,000.00	TOTAL	.. ..

[No. F. 104(4)-Ins/I/63-ERI-I.]

S.O. 740.—In pursuance of sub-section (5) of section 7 of the Emergency Risks (Factories) Insurance Act, 1962 (63 of 1962), read with paragraph 21 of the Emergency Risks (Factories) Insurance Scheme, the Central Government hereby publishes, as follows, an account of the sums received into and paid out of the Emergency Risks (Factories) Insurance Fund during the year ending with the 31st March, 1963.

Account of sums received into and paid out of the Emergency Risks (Factories) Insurance Fund during the year ending with 31st March, 1963.

	<i>Receipts</i>		<i>Expenditure</i>	
	Amount Rs. nP.	Progress of receipts upto the 31st March, 1963	Amount Rs. nP.	Progress of expenditure upto the 31st March, 1963
1. Insurance Premiums	6,30,00,000.00	6,30,00,000.00	1. Remuneration and expenses of Govt. Agent and cost of forms	.. ..
2. Advance from Consolidated Fund of India under Section 7(3).	..	..	2. Payments of liabilities under the Emergency Risks (Factories) Insurance Scheme and remunerations and expenses of Loss Assessors appointed under the Scheme	.. ..
3. Miscellaneous receipts	..	..	3. Payment under section 10 where a factory is required to be removed to and reconstructed in another locality	.. ..
			4. Refunds of premium under Section 16 or under paragraph 15 of the scheme	.. ..
			5. Repayments of advances made under Section 7(3)	.. ..
			6. Miscellaneous Expenditure (showing details if necessary)	.. ..
			7. Sums disposed of in accordance with Section 7(4)	.. ..
TOTAL	6,30,00,000.00	6,30,00,000.00	TOTAL	.. ..

[No. F. 104 (4)-INS/I/63-ERI-II].

New Delhi, the 26th February 1964

S.O. 741.—In exercise of the powers conferred by section 39 of the Life Insurance Corporation Act, 1956 (31 of 1956), the Central Government hereby publishes the following certificate granted to the Swadeshi Provident Insurance Company Limited, Bombay, an insurer whose controlled business has been transferred to and vested in the Life Insurance Corporation of India under the provision of the said Act.

CERTIFICATE

Whereas the Swadeshi Provident Insurance Company Limited, Bombay is an insurer whose controlled business has been transferred to and vested in the Life Insurance Corporation of India under the provisions of the Life Insurance Corporation Act, 1956 (31 of 1956);

And whereas the said insurer has collected and distributed compensation money paid to him by the Corporation under the provisions of the said Act;

And whereas the said insurer has complied with all directions given to it by the said Corporation for the purpose of securing that the ownership of any property and any right is effectively transferred to the Corporation;

And whereas the said insurer has made an application to the Central Government that there is no reason for the continued existence of the insurer;

Now, therefore, in exercise of the powers conferred by section 39 of the said Act, the Central Government hereby grants to the said insurer the certificate that there is no reason for the continued existence of the insurer.

[No. 3(10)-INS(II)/62.]

S. S. SHARMA, Under Secy.

(Department of Economic Affairs)

New Delhi, the 27th February 1964

S.O. 742.—Statement of the Affairs of the Reserve Bank of India, as on the 21st February, 1964

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	15,78,57,000
Reserve Fund	80,00,00,000	Rupee Coin	3,55,000
National Agricultural Credit (Long Term Operations) Fund	73,00,00,000	Small Coin	3,32,000
National Agricultural Credit (Stabilisation) Fund	8,00,00,000	National Agricultural Credit (Long Term Operations) Fund	
Deposits :—		(a) Loans and Advances to :—	
(a) Government		(i) State Governments	26,49,35,000
(i) Central Government	56,50,06,000	(ii) State Co-operative Banks	8,37,92,000
(ii) State Governments	13,93,01,000	(iii) Central Land Mortgage Banks	..
(b) Banks		(b) Investment in Central Land Mortgage Bank Debentures	3,59,36,000
(i) Scheduled Banks	80,26,60,000	National Agricultural Credit (Stabilisation) Fund	
(ii) State Co-operative Banks	2,07,32,000	Loans and Advances to State Co-operative Banks	..
(iii) Other Banks	4,28,000	Bills purchased and Discounted :—	
(c) Others	163,18,46,000	(a) Internal	..
Bills Payable	39,46,00,000	(b) External	..
Other Liabilities	63,27,37,000	(c) Government Treasury Bills	49,50,34,000
		Balances Held Abroad*	18,34,63,000
		Loans and Advances to Governments**	38,31,39,000
		Loans and Advances to :—	
		(f) Scheduled Banks†	52,60,80,000
		(g) State Co-operative Banks††	127,54,71,000
		(iii) Others	1,30,98,000
		Investments	213,55,66,000
		Other Assets	29,22,52,000
Rupees	584,73,10,000	Rupees	584,73,10,000

*Includes Cash and Short-term Securities.

**Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 23,24,00,000 advanced to scheduled banks against usance bills under section 17(4) (c) of the Reserve Bank of India Act.

††Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 26th day of February, 1964.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 21st day of February 1964

ISSUE DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Notes held in the Banking Department		Gold Coin and Bullion :—	
Notes in circulation	15,78,57,000 2434,31,24,000	(a) Held in India	117,76,10,000
Total Notes issued	2450,09,81,000	(b) Held outside India	
TOTAL LIABILITIES	2450,09,81,000	Foreign Securities	102,45,69,000
		TOTAL	220,21,79,000
		Rupee Coin	110,19,08,000
		Government of India Rupee Securities	2119,68,94,000
		Internal Bills of Exchange and other Commercial paper	
TOTAL LIABILITIES	2450,09,81,000	TOTAL ASSETS	2450,09,81,000

Dated the 26th day of February, 1964.

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/64.]

A. BAKSI, Jt. Secy.

(Department of Revenue)

CUSTOMS AND CENTRAL EXCISE ESTABLISHMENT

New Delhi, the 21st February, 1964

S.O. 743.—In exercise of the powers conferred by sub-rule (2) of rule 11 and clause (b) of sub-rule (2) of rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. S.R.O. 612, dated the 28th February, 1957, namely:—

In the Schedule to the said notification, in Part I—General Central Service Class II,—

(a) for the existing entries in each of the columns 2 and 3, against the posts 'Chief Accounts Officer and Assistant Chief Accounts Officer (Central Excise and Narcotics Department)', the following shall be substituted, namely:—

"Central Board of Excise and Customs";

(b) for the existing entries in each of the columns 2 and 3, against the post "Assistant Statistician, Statistics and Intelligence Branch (if the post is not held by Superintendent of Central Excise)", the following shall be substituted, namely:—

"Central Board of Excise and Customs".

[No. 28.]

K. N. MUKERJEE, Under Secy.

(Department of Revenue)

ESTATE DUTY

New Delhi, the 21st February 1964

S.O. 744.—In exercise of the powers conferred by sub-section (3) of Section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Government hereby appoints the persons whose names are given in Schedules I, II and III appended hereto as Valuers for the purpose of the said Act, for a period of three years with effect from 18th January, 1964, the 24th January, 1964 and the 30th January, 1964, respectively.

Schedule—I contains the names of persons who were appointed as Valuers in 1961 and whose term of appointment expired on the 18th January, 1964.

Schedule—II is supplementary to the list of Valuers published in Part II, Section 3 of the Gazette of India dated 1st February 1964 under this Ministry's Notification No. 2/F. No. 5/4/64-ED, dated the 24th January, 1964.

Schedule—III contains the names of persons who were appointed as Valuers in 1961 and whose term of appointment expired on the 30th January, 1964.

2. The scale of charges for the remuneration of Valuers appointed by the Central Government for valuing any property shall be as fixed below and no such valuer shall charge a fee at a scale higher than the scale so fixed.

Provided that where two or more properties are required to be valued:—

(1) by a Committee of Arbitration or by a third Valuer in pursuance of a single order, or

(2) by a Valuer, in pursuance of a single reference made by a Controller of Estate Duty or at the instance of an accountable person,

all such properties shall be deemed to constitute a single unit of property for the purposes of fixing the fee payable to the Committee or the Valuer, as the case may be.

Scale of Charges.

On the first Rs. 50,000/- of the property so valued.	... $\frac{1}{2}$ % of the value.
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On the next Rs. 1,00,000/- of the property so valued.	... $\frac{1}{2}$ % of the value.
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On the balance of the property so valued.	... $\frac{1}{2}$ % of the value.
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SCHEDULE I

ENGINEERS/SURVEYORS/ARCHITECTS

Serial No.	Name	Address
1	Shri Banerjee, D.C., B.E., M.I.E.	12, Old Post Office Street, Calcutta-1.
2	Shri Chatterjee, P.C., B.E.	12, Old Post Office Street, Calcutta-1.
3	Shri Ghosh, B.K., B.E., C.E.A., A.M.I.E.	16, Dr. Chatterjee Lane, Post Office, Serampore (Distt. Hoogly), (West Bengal.)
4	Shri Moitra S.B.	30/1, Goabagan Lane, Calcutta-6.
5	Shri Mookerjee, N.R., B.E., C.E., LL.B.	156-C, Rash Behari Avenue, Calcutta-29.
6	Shri Abhayankar, P.S. B.E. (Civil), A.M.I.E. (India).	Paternalnagar Blocks, Near Walchand College of Engineering, Sangli.
7	Shri Agash, V.V., B.E. (Civil)	183, Shukrwar Peth, Poona-2.
8	Shri Belangi, M.H., F.I.I.A., A.R.I.B.A.	Examiner Press Building; 35, Dalal Street, Fort, Bombay-1.
9	Shri Bhansali, M.C., B.E., M.I.S., M.I.E. (Ind.), A.M.I.St. E. (Eng.).	C/o M/s. Bhansali & Co., Architects, Engineers & Surveyors, 94, Medows Street, Fort, Bombay-1.
10	Shri Chinchankar, K.B., B. Sc., B.E., A.M.I.E.	C/o. M/s. K. B. Chinchankar & Co., Shanti Niketan, Poona-4.
11	Shri Desai, R.V., B.E. (Civil), M.I.E. (Ind.), M.M.E.A. (Ind.)	Station Road, Navasari (Western Rly.).
12	Shri Desai, S.M., B.E. (Civil)	Shanti Niketan, Near Lalubhai Park, Andheri, Bombay-58.
13	Shri Fernandes, J.B., A.R.I.B.A., F.I.I.A.	16, Murzaban Road, Fort, Bombay-1.
14	Shri Joshi, D.V., B.E. (Civil), A.M.I.E.	42, Lakshmi Building, Sir Pherozshah Mehta Road, Fort, Bombay-1.
15	Shri Joshi, L.V., B.E. (Civil)	Gole Colony, Nasik.
16	Shri Kanga, H.N., B. Sc. (Edin.), A.M. I.C.E., A.M.I.E.	C/o. M/s. Contractor Kanga and Co. 'Soorya Mahal' Junction of Medows Street and Military Square Lane, Fort, Bombay.
17	Shri Kerbbase, N.D., B.E., A.M.I.E. (Ind.)	936-I, North Sadar Bazar, Sholapur.
18	Shri Pandit, V.V.	C/o. Pandit Bros., Shivlal Motilal Mansion, 14, Hamam Street, Fort, Bombay.
19	Shri Parekh, C. M., B.E., M.I.E.	Parekh Nivas, Haler Road, Bulsar (Distt. Surat) (Gujarat).
20	Shri Patel, C.R., B.E. (Civil), A.M.I.E.	Panchmukhi, Mahadev Pole, Baroda.
21	Shri Sheth, C.C.	C/o. M/s. Sheth & Co., 73, Apollo Street, Fort, Bombay.
22	Shri Shah, K.S., B. Sc. (Lond.), A.C. G.I., M.I.E., M.R.S.H. (London).	40-B, Ridge Road, Malabar Hills, Bombay-6.
23	Shri Shah, S.B., B.E., A.M.I.E.	C/o. M/s. S.B. Shah & Co., Botwalla Building, 3rd floor, 7-10, Horniman Circle, Fort, Bombay-1.
24	Shri Talati, V.M., B.E. (Civil)	C/o. The Supunpipe and Construction Co., Baroda, Ltd., 3-New Rambhai Mansion, Sayaji Ganj, Baroda.
25	Shri Thackeer, R.N., B.E. (Civil), A.M. I.E., A.M.I. (Struct) E. (Lond.), M. R.S.H. (London).	C/o. M/s. Ranchoddas N. Thacker & Co., Prospect Chambers, Hornby Road, Fort, Bombay.
26	Shri Vora, M.K., B.E. (Civil), A.M.I.E.	C/o. M/s. Suverupatki and Vora, 56, Alli Chambers, Tamarind Lane, Fort, Bombay-1.
27	Shri Seshadri, N.R.	Marvali, Chembur, Bombay-71 (A.S.).
28	Shri Sud, A.C., B. Sc. (Civil Engg.), Hons., A.M.I.E. (Ind.), B.A. LL.B.	93-G (Top Floor), Connaught Circus, New Delhi-1.
29	Shri Verma, D.S., C.E., A.M.I., B.E. (London).	'Lakshmi Bhavan', Moti-Katra, Agra.
30	Shri Narayana Rao, C.R., B.E., A.M.I.E.	Kanpagsintal Nagar, Luz-Mylapore, Madras-4.
31	Shri Rangaswami, V.S.	32/3, Usman Road, T. Nagar, Madras-17.

Serial No.	Name	Address
32	Shri Somayazulu, J.S., B.E. (Civil), M.I.E.	14, Jagdambal Colony, Lloyds Road, Royalpettah, Madras-14.
33	Shri Bose, P., B.Sc. (Edin), C.E., M.I.E.	10, Hastings Street, Calcutta-1.
34	Shri Chakraburty, N.B., B.E., A.M.I.E.	District Engineer, Jalpaiguri, (West Bengal).
35	Shri Ghosh, P.K., B.E., C.E.A.M.I.E.	13A, Belatala Road, Calcutta-26.
36	Shri Mukerji, H.C., B.E., F.R.I.C.S., M.I.E. M.I.S., M.A.S.C.E.	35/6, Paddapukur Road, Calcutta-20.
37	Shri Bhatt, M.G., B.E. (Civil), A.M.I.E.	C/o, M/s. Kora & Bhatt, 22, Apollo Street, Fort, Bombay.
38	Shri Bhedwar, C.K., F.R.I.B.A., L.C.E.	C/o, M/s. Bhedwar and Bhedwar, Cook's Building, Hornby Road, Fort, Bombay.
39	Shri Bhedwar, S.K., F.R.I.B.A., L.C.E.	C/o, M/s. Bhedwar and Bhedwar, Cook's Building, Hornby Road, Fort, Bombay.
40	Shri Bilimoria, M.R., B.A. B.E. (Civil)	C/o., M/s. Poonager, Bilimoria and Co., Cama Bldg., 24-26, Dalal Street, Fort, Bombay.
41	Shri Desai, S.R., B.E., (Civil), A.M.I.E. M.R.S.H. (Lond.)	Beanmon Chambers, 27/33, Medows Street, Bombay.
42	Shri Ganjawala, H.L., B.E. (Civil), A.M. I.E. (Ind.) A.I.A.A.&S.	C/o., M/s. Chinoy, Buchia and Divecha, 11, Bruce Street, Fort, Bombay-1.
43	Shri Kapadia, Manubhai, J., B.E., (Civil) A.M.I.E.	C/o., M/s. Manubhai Jeshtaram & Co. Yusuf Building, 43, Mahatma Gandhi Road, Bombay-1.
44	Shri Mirchandani, G.N., B.E.	7-Jay Mahal, A-Road, Churchgate, Bombay-1.
45	Shri Patenardhan, R.S., B.E. (Civil), M.I.E. (Ind.) J.P.	Circle Engineer (Planning) and Chief Valuer, Nagpur Improvement Trust, Nagpur (Maharashtra).
46	Shri Poonagarh, N.H., B.E. (Civil), M.I.E. (Ind.) J.P.	C/o M/s. Poonagar Bilimoria & Co., Cama Building, 24-26, Dalal Street, Fort, Bombay.
47	Shri Sambhare, G.D., G.D. Arch., A.R. I.B.A. (London), A.I.I.A.	C/o. M/s. G.D. Sambhare & Co., Sardar Mansion, 22, Apollo Street, Fort, Bombay-1.
48	Shri Shah, K.D., B.E. (Civil), A.M.I.E. (Ind.)	17, Second Floor, Khorshed Building, Sir Pherozesh Mehta Road, Fort, Bombay-1.
49	Shri Shah, S.C., B.Sc. (Engg.)	C/o. S.S. Engineering Co., Dhannur, Sir P.M. Road, Bombay-1.
50	Shri Shirpunkar, K.A., A.M.I. Struct. E. (Lond.)	C/o. Nag-Architecture and Engineering Service, Panch Pawli Road, Ashok Bhavan, Gandhi Bag, Nagpur-2.
51	Shri Dildar Hussain, B.E., M.I.E., M.I.A.H.R.	'Alibagh', 268, Road No. 3, Jubilee Hill, Hyderabad (Dn.)-4.
52	Shri Gupta, M.C. M.I.E.	38A, Thornhill Road, Allahabad.
53	Shri Kanakraj, A. S.E.	Commander Works Engineers, Mudport, Secunderabad-3.
54	Shri Mathur, B.G., C.E. (Roorkee), A.M. I.E., M.I.R.C.	C/o. Dr. T.G. Mathur, P.M. & H.O. Victoria Hospital, Bharatpur (Rajasthan).
55	Shri Iyer, S. Thanoo, B.E., C.E. (Hons.)	60, LUZ Church Road, Mylapore, Madras-4.
56	Shri Narayana Rao, T. S. B.E., M. I. E., M.I.S.E.	9, Mahatma Gandhi Road, Bangalore-1.
57	Shri Shenoy M. Narayana, B.A., B.L.	Retired Regional Inspector of Municipal Councils and Local Boards, Gokal Building, Ramnagar, Vijayawada-3, (Andhra Pradesh).
58	Shri Venkatadas, N.K., B.E., A.M.I.E.	Shevapet, Salem.
59	Shri Gupta, B.B., B.Sc. (Birm.), F.G.S. M.I.C.E., M.I.E. (Ind.)	Kumudini Kutir, 1/1, Doverlane, Calcutta-29

Serial No.	Name	Address
II—ACCOUNTANTS		
1	Shri Chatterjee, D.P., B.A., B. Com.(Manchester), A.I.C.W.A., F.C.A.	10, Old Post Office Street, Calcutta.
2	Shri Ghosh, A.K., G.D.A., F.C.A.	Mission Court, 25, Rajendra Nath Mukerjee Road, Calcutta.
3	Shri Gutgutia, K.N., B. Com., F.S.A., F.C.A.	C/o M/s. K.N. Gutgutia, & Co., Central Bank Buildings, 33-Nejtaji Subhas Road, Calcutta-I.
4	Shri Nundy, M.K., B. Com., F.C.A.	C/o M/s. Nundy Roy & Co., 6, Old Post Office Street, Calcutta.
5	Shri Roy, S.B., F.S.A.A., F.C.A.	C/o. M/s. A.C. Roy & Co., I-B, Old Post Office Street, Calcutta-I.
6	Shri Babur Ghanshyam, H., B.A., LL.B., F.C.A.	Bombay Mutual Annexe, 3rd Floor, Gunbow Street, Fort, Bombay-I.
7	Shri Bhagwat, P. G.	Jiji House, 17, Raveline Street, Fort, Bombay.
8	Shri Thacker, Jamnadas V., G.D.A., F.C.A.	Medows House, Top Floor, 39, Medows Street, Fort, Bombay-I.
9	Shri Ajmera, B.L., B. Com., F.C.A.	Tewari Building, Mirza Ismail Road, Jaipur.
10	Shri Chatterjee, Abimukta, G.D.A., F.C.A.,	C/o M/s. Chatterjee and Chatterjee, Lajpat Rai Road, Varanasi.
11	Shri Joshi, R.D.	Shiv Vilas Palace, Indore City.
12	Shri Mehra, P.C.	Chartered Accountant, Katra Ahluwalia, Amritsar.
13	Shri Narsimhan, K.V., M.A., G.D.A., F.C.A.	C/o M/s. K. V. Narsimhan & Co. 2/II, Mukkernallamuthu Chetty Street, Madras-I.
14	Shri Banerjee, A.C., B. Com., F.C.A.	10, Old Post Office Street, Calcutta.
15	Shri Mukherji, P.K., B.Com.	1-B, Old Post Office Street, Calcutta-I.
16	Shri Almeida, P.M., F.C.A.	C/o. M/s. Chhotalal Shah & Co., Bharucha Building, 1st Floor, Princess Street, Bombay-I.
17	Shri Vachha, H.J.	C/o M/s. A.F. Ferguson & Co., Allahabad Bank Buildings, Apollo Street, Bombay-I.
18	Shri Sivaramkrishnan, A.K., F.C.A.	C/o M/s. Fraser & Ross, Barrow House, 12, McLean Street, Madras-I.
19	Shri Dhawan, S.N., B. Com., F.C.A.	C-37, Connaught Place, New Delhi.

III—JEWELLERS

1	M/s. Bapalal & Co., Jewellers.	: : : Ramkot Building, Rattan Bazar, Madras-3.
2	M/s. Thakurlal Hirralal & Co.	: : : 9-Dalhousie Square, P.O. Box No. 104, Calcutta-I.
3	M/s. Chokshi Kirtilal Jeshinglal and Co.	: : : 115, Zaveri Bazar, Bombay.
4	M/s. Dahyalal Makanjee Zaveri	: : : 98, Sheikh Meemon Street, Post Box No. 2005, Bombay-2.
5	M/s. Gazdar Private Ltd.	: : : Taj Mahal Hotel, Bombay.
6	M/s. Surajmal Lallubhai & Co.	: : : 359, Kalbadevi Road, Bombay-2.
7	M/s. Valimohamed Gulamhussein, Sonawala & Co.	: : : 126, Mumbadevi, Bombay-2.
8	Gem Palace	: : : Mirza Ismail Road, Jaipur.

IV—WORKS OF ART

1	Prof. Bendre, N.S.	: : : Professor & Dean of the Faculty of Fine Arts, Pushpabag, University of Baroda, University Road, Baroda.
2	Dr. Moti Chandra, M.A. Ph.D. (Lond.)	: : : Director, Prince of Wales Museum of Western India, Bombay-I.

Serial No.	Name	Address
3	Shri Sclat, H.D., B.A., B.T., G.D. (Arts).	Educational Inspector, Surendranagar Dist., Surendranagar, (Saurashtra, Gujarat).
4	Shri Sanyal, B.C.	Secretary, Lalit Kala Akademi, Rabindra Bhawan, New Delhi-1,
5	Shri Gue, Bhabani Charan, A.R.D.S. (Lond.), F.R.S.A. (Lond.) Diploma in painting (Lucknow)	Head of the Dep't. of Art, Maya College, Ajmer.

V—ACTUARIES.

1	Shri Ajgaonkar, D.N., M.A. (Cantab), F.I. A. (Lond.)	C/o. The New India Assurance Co. Ltd., New India Assurance Building, 4th Floor, Mahatma Gandhi Road, P.O. Box 969, Bombay-1.
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SCHEDELE—II

I—ENGINEERS/SURVEYORS/ARCHITECTS

Serial No.	Name	Address
1.	Shri Sharma, B.S., B.Sc. C.E. (Hons.) A. M.I.E. (Ind.)	E.2/Army /E.C. E-in-C's Branch, Kashmir House, D.H.Q. P.O. New Delhi-11.
2	Shri Chippa, G.R., B.Sc. (Engg.) Hons. (London.)	2-L, Sector 18/C, Chandigarh (Punjab).

II—ACCOUNTANTS

1	Shri Amin Chandrakant Raojibhai	15, Panchsil Coop. Housing Society Ltd., Usmanpura, Ahmedabad.
2	Shri Hansotia Pestonji Cowasji, B. Com., F.C.A., F.S.A.A., F.I.C.W.A., J.P.	Jehangir Wadia Building, 51, Mahatma Gandhi Road, Bombay-1.
3	Shri Thakkar Jayantilal, K., B.Com., G.D.A., F.C.A.	111(A), Mahatma Gandhi Road, Opp. University Fort, Bombay-1.

III—ACTUARY

1	Shri Ranadive, J.T. B.Sc., F.I.A.	Secretary (Personnel), Life Insurance Corporation of India, Central Office, Bombay.
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SCHEDELE—III

I—ENGINEERS/SURVEYORS/ARCHITECTS.

Serial No.	Name	Address
1	Shri Shah, N.A., B.E. (Civil), A.M.I. Struct. E. (Lond.)	Daulat Bungalow, Vithal Society, Baroda.
2	Shri Gopalakrishnan, A.	"Lakshmi Sadan" C-109, N.E. Extension, Thillainagar, Tiruchy (Madras State).
3	Shri Gupta Sunny, B.Sc. Eng. (Lond.), I.S.E., (Retd.)	149, Lansdowne Road (Back Portion) Calcutta-26.
4	Shri Gehlot Ramprakash, F.R.I.B.A., F.I.I.A.	Chartered Architect, Opposite Mangal Marg., Tank Road, Gandhi Nagar, Jaipur.

Serial No.	Name	Address
II.—ACCOUNTANTS.		
1	Shri Bhargava, Ramesh Chandra, B.Com., LL.B., F.C.A.	C/o. M/s. R. Chandra & Co., 558, Dr. B.N. Varma Road, Kutcheri Road, Lucknow-34 (U.P.).
2	Shri Choksey, P.K., A.C.A.	C/o M/s. Price Waterhouse Peat & Co., B-4, Gillander House, Netaji Subhas Road, Calcutta-I.
3	Shri Sen, R.N., A.C.A.	C/o M/s. Price, Waterhouse Peat & Co., B-4, Gillander House, Netaji Subhas Road, Calcutta-I.

No. 3 F. No. 5/51/63-E.D.]

(Dept. of Revenue)

INCOME TAX

New Delhi, the 2nd March, 1964

S.O. 745.—In pursuance of the provisions of items (iv) of Paragraph 13 of the Merged States (Taxation Concessions) Order, 1949, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Finance (Revenue Division), No. 32, dated the 14th May, 1954, as amended from time to time, namely:—

In the Table annexed to the said notification, for the existing items in column 2, against Serial No. 117, the following shall be substituted, namely:—

“Zorawar Manzil (formerly known as Shaibagh) together with compound and out-houses.”

2. This notification shall be deemed to have taken effect from the 1st day of April, 1960.

Explanatory Note

(This does not form part of the amendment but is intended to be merely clarificatory).

The amendment has become necessary as the Palanpur House with Knoll Bungalow of Mount Abu has ceased to be an official residence of the Ruler of Palanpur.

[No. 14 (F. No. 22/14/63-IT).]

S. R. MEHTA, Dy. Secy.

(Department of Revenue)

CUSTOMS

New Delhi, the 7th March 1964

S.O. 746.—In exercise of the powers conferred by clause (d) of section 7 of the Customs Act, 1962 (52 of 1962) the Central Government hereby appoints the port of Tankari in the State of Gujarat to be a coastal port for the carrying on of trade in coastal goods with all ports in India.

[No. 36.F.No. 14/1/64-L.C.II.]

(Department of Revenue)

ORDERS

STAMPS

New Delhi, the 29th February 1964

S.O. 747.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which debentures of the value of sixty lakhs of rupees issued by the Gujarat State Financial Corporation are chargeable under the said Act.

[No. 1/F. No. 1/18/64-Cus.VII.]

S.O. 748.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby directs that in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 31, dated the 18th January, 1964, for the figures, notation, words and brackets “4½% Punjab Financial Corporation Bonds, 1974 (Second series)”, the figures, notation, words and brackets

"4½% Punjab Financial Corporation Bonds, 1974 (Second series)" shall be substituted and shall always be deemed to have been substituted.

[No. 2/F. No. 1/83/63-Cus-VII.]

M. G. VAIDYA, Under Secy.

(Department of Co-ordination)

New Delhi, the 27th February 1964

S.O. 749.—In exercise of the powers conferred by sub-section (2) of section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby directs that the provisions of the said Act shall apply to the Provident Fund established for the benefit of the employees of the Indian Institute of Public Administration, New Delhi.

2. This notification shall be deemed to have come into force with effect from the 5th day of March, 1960.

[No. 5(3)-P/63.]

S. R. SANKARAN, Under Secy.

CENTRAL BOARD OF DIRECT TAXES

INCOME-TAX

New Delhi, the 26th February 1964

S.O. 750.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following further amendments in the Schedule appended to the late Central Board of Revenue's Notification S.O. 1480 (No. 25-Income-tax, dated 21st May 1963), dated 1st June, 1963, namely:—

In the said Schedule against 'C' Range, New Delhi under Col. 2, the following shall be substituted, namely:—

'C' Range, New Delhi.

1. Income-tax-cum-Wealth Tax Circles IV, VIII and X, New Delhi.
2. Companies Circle II, New Delhi and Companies Circle II-cum-Wealth Tax Circle X, New Delhi.
3. Central Circles III and IV, Delhi.
4. Estate Duty-cum-Income-tax Circle, New Delhi.
5. C-I, C-I(I), C-II and C-III Districts, New Delhi.
6. Foreign Section, Delhi.
7. Survey Wards Nos. 1 and 2, Delhi.
8. Wards Nos. I, I(1), I(2), II, III, IV & V, Delhi.

Explanatory Note

The amendments have become necessary on account of creation of a new Circle in the Commissioner's charge.

The above note does not form a part of the notification but is intended to be merely clarificatory.

[No. 13 (F. No. 50/10/63-IT.]

S. DWIVEDI, Under Secy.

CENTRAL BOARD OF EXCISE AND CUSTOMS

CUSTOMS

New Delhi, the 29th February 1964

S.O. 751.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares

Chingavanam in District of Kottayam in the State of Kerala to be a warehousing station.

[No. 32/F.No. 3/1/64-Cus.VII.]

New Delhi, the 7th March 1964

S.O. 752.—In exercise of the powers conferred by Section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares Surat in the State of Gujarat to be a warehousing station.

[No. 5 F. No. 16/1/64-L.C.II.]

M. G. VAIDYA, Under Secy.

INTEGRATED CENTRAL EXCISE DIVISION, BELGAUM

SHOW CAUSE NOTICE

Belgaum, the 20th February 1964

S.O. 753.—Whereas it appears that the marginally noted goods which were lying in the dustbin kept in the compound of the Railway Police Sub-Inspector's Office at Belgaum and found by the said Police on 3rd January 1964 and seized by the Superintendent, Central Excise, Belgaum are imported into India in contravention of Section 111 (D) of Customs Act, 1962 read with notification of Government of India, Ministry of Finance No. 12(II) F-I/48 of 25th August 1948 (as amended) under section 8 of F.E.R. Act, 1947.

2. Now therefore any person claiming the ownership of the said goods is hereby called upon to show cause to the Assistant Collector of Central Excise and Customs, Belgaum Division, 71, Club Road, Belgaum, why the above mentioned gold should not be confiscated under section 111(d) of Customs Act, 1962 and (ii) Why a penalty should not be imposed on him under section 112(b)(i) of the Customs Act, 1962.

3. If such a owner fails to turn up to claim the above mentioned unclaimed gold or to show cause against the action proposed to be taken within ten days from the publication will be treated as unclaimed and the same will be decided accordingly.

[No. VIII/10-1/64.]

R. V. SUKHATANKAR, for Asstt. Collector.

CENTRAL EXCISE, CALCUTTA AND ORISSA

CENTRAL EXCISE

Calcutta, the 27th February 1964

S.O. 754.—In exercise of the powers conferred on me by rule 5 of the Central Excise Rules, 1944, I hereby authorise the Assistant Collectors of Central Excise in the Collectorate of Central Excise, Calcutta and Orissa, to exercise in their respective jurisdiction the powers of 'Collector' under sub-rule (10)A of Rule 191-A of the Central Excise Rules, 1944.

[No. 1/1964.]

G. KORUTHU, Collector.

MINISTRY OF INTERNATIONAL TRADE

New Delhi, the 22nd February 1964

S.O. 755.—Shri S. R. Das, an officer of the Indian Audit and Accounts Service and Assistant Accountant General of the office of the Accountant General, West

Bengal, has been appointed as Finance Officer of the Tea Board, Calcutta, with effect from the afternoon of the 17th January 1964.

[No. 1(33)Plant(A)/63.]

B. KRISHNAMURTHY, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

New Delhi, the 22nd February 1964

S.O. 756.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment of persons to certain Class II posts in the Andaman and Nicobar Islands Administration, namely:—

1. Short title.—These rules may be called the Andaman and Nicobar Islands (Class II posts) Recruitment Rules, 1964.

2. Application.—These rules shall apply to the Class II post of the Plant Protection Officer in the Andaman and Nicobar Islands Administration.

3. Number, Classification and scale of pay.—The number of the said post, its classification and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the Schedule annexed to these rules.

4. Method of recruitment, age limit and other qualifications, etc.—The method of recruitment to the post aforesaid, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the said Schedule:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to the Schedule Castes, Schedule Tribes, displaced persons and other special categories of persons in accordance with the orders issued from time to time by the Government of India.

5. Disqualification.—(a) No person who has more than one wife living or who has a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to the said post.

(b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to the said post:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHEDULE

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications if any prescribed for the direct recruits will apply in the case of Promotees	Period of probation whether by direct recruitment or by promotion or by deputation/ transfer and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ deputation/ transfer, grades from which promotion/ deputation/ transfer to be made	If a Departmental Promotion Committee exists what is its composition	Circumstances in which U.P.S.C. is to be consulted	
1	2	3	4	5	6	7	8	9	10	11	12	13
Plant Protection Officer	I	General Central Service Class II Gazetted (Non-Ministerial)	Rs. 350—25—500—30—590—EB—30—800—EB—30—830—35—900	Not applicable	35 years and below (Relaxable for Government servants)	<i>Essential :</i> (i) B.Sc. in Agriculture or B.Sc. degree in Zoology or Agricultural Zoology as one of the subjects of recognised University, or equivalent. (ii) About three years' practical experience of Plant protection work in the field.	Not applicable	2 years	Direct recruitment	Not applicable	Not applicable	As required under the rules.

1	2	3	4	5	6	7	8	9	10	11	12	13
---	---	---	---	---	---	---	---	---	----	----	----	----

(iii) Working knowledge of pests of agricultural importance including their identification and practical knowledge of pesticides, plant protection machines and their uses.

Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.

[No. 51-20/63-U.T.]

N. S. SREEKANTIAH, Under Secy.

(Department of Agriculture)

New Delhi, the 22nd February 1964

S.O. 757.—The following draft rules which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), are published, as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 1st of April, 1964.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified, will be considered by the Central Government.

DRAFT RULES

1. Short title and application.—(1) These rules may be called the Poppy seeds Grading and Marking Rules, 1964.

(2) They shall apply to Poppy seeds (*Papaver Somniferum*) produced in India.

2. Definitions.—In these rules—

(1) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India.

(2) 'Schedule' means a Schedule appended to these rules.

3. Grade designation.—The grade designations to indicate the quality of Poppy seeds shall be as set out in column 1 of Schedule II.

4. Definition of quality.—The quality indicated by the respective grade designation shall be as set out against each grade designation in columns 2 to 4 of Schedule II.

5. Grade Designation Mark.—The grade designation mark shall consist of a label specifying the grade designation and bearing a design (consisting of an outline map of India with the word 'AGMARK' and the figure of the rising sun, with the words 'Produce of India' and 'भारतीय उत्पाद' resembling the one as set out in Schedule I).

6. Methods of Marking.—(1) The grade designation mark shall be securely affixed to each container in a manner approved by the Agricultural Marketing Adviser and shall clearly show the following particulars:—

- (a) Grade designation.
- (b) Variety or trade name.
- (c) Net weight.
- (d) Date of packing.

(2) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container, in a manner approved by the said Officer, provided that the private trade mark does not represent the quality or grade of Poppy seeds different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

7. Method of Packing.—(1) Only sound, clean and dry containers made of Jute, Cloth, Paper, Polythene or tin shall be used for packing. They shall be free from any insect infestation or fungus contamination and also free from any undesirable smell.

(2) The containers shall be securely closed and sealed in such manner as may be prescribed by the Agricultural Marketing Adviser.

(3) Each package shall contain Poppy seeds of one grade designation only.

8. Special Conditions of Certificate of Authorisation.—In addition to the conditions specified in rule 4 of the General Grading and Marking Rules, 1937, the following special conditions shall be observed by the packers to the satisfaction of Agricultural Marketing Adviser:—

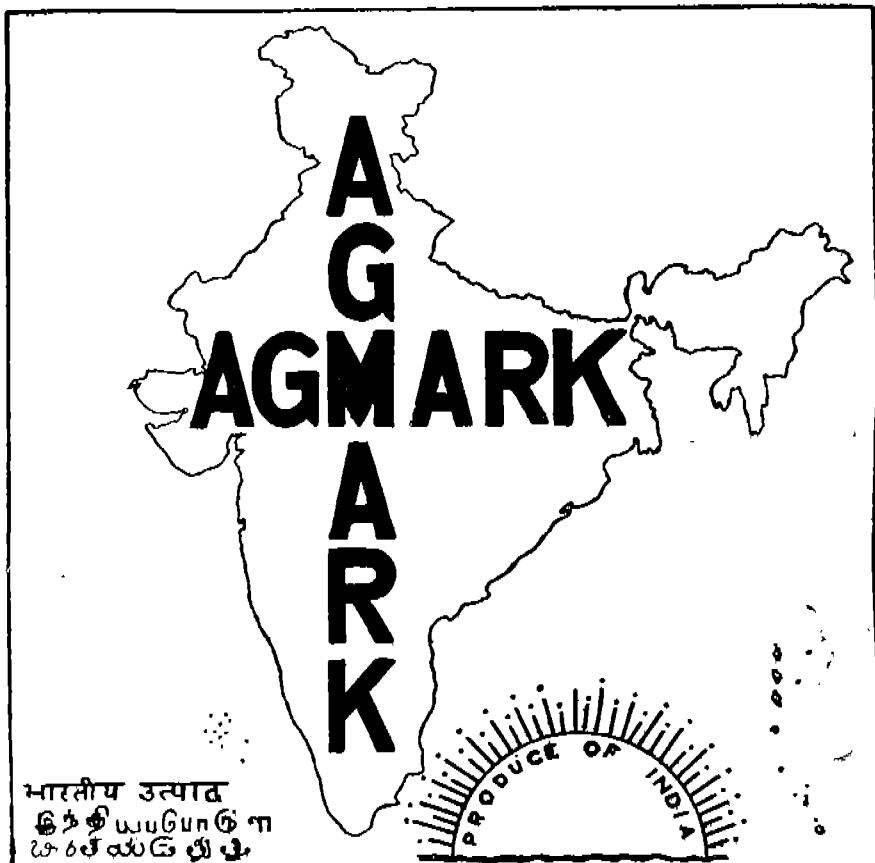
(1) An authorised packer shall make such arrangements for testing Poppy seeds as may be prescribed from time to time by the Agricultural Marketing Adviser.

(2) An authorised packer shall provide all facilities to the Inspecting Officers duly authorised by the Agricultural Marketing Adviser in this behalf, for sampling, testing and such other matters as may be necessary.

SCHEDULE I

[See rule 5(1)]

Design for the Grade Designation Mark



SCHEDULE II.

(See rules 3 and 4)

Grade designations and definition of Quality of Poppy-seeds produced in India.

Grade Designation	Special Characteristics (Maximum limits of tolerance)		General Characteristics
	Foreign matter Percentage (By weight).	Admixture of other seeds Percentage (By weight)	
I	2	3	4
Poppy seeds shall—			
Grade I	1.5	0.5	<ul style="list-style-type: none"> (a) be the dried mature seeds of <i>Papaver somniferum</i>. (b) have uniform size, shape and colour. (c) be hard, clean, wholesome and free from moulds, weevils, obnoxious smell, discolouration, admixture of deleterious substances and all other impurities except to the extent indicated in the schedule. (d) be in sound merchantable condition. (e) not have moisture exceeding 11.00 per cent.
Grade II	3.0	1.0	

NOTE :—(1) Foreign matter includes dust, dirt, stone, lumps of earth, chaff, stem or straw and any other vegetable matter or impurity.

(2) Admixture of other seeds : includes admixture of harmless foreign seeds.

[No. F. 17-27/63-AM]

S.O. 758.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, the same having been previously published as required by the said section, namely,—

1. Short title and application.—(1) These rules may be called the Ambadi Seeds Grading and Marking Rules, 1964.

(2) They shall apply to Ambadi Seeds (Seeds of plants botanically known as Hibiscus Cannabinus and Hibiscus Sabdariffa) produced in India.

2. Definitions.—In these rules—

(1) “Agricultural Marketing Adviser” means the Agricultural Marketing Adviser to the Government of India;

(2) “Schedule” means a Schedule appended to these rules.

3. Grade designation.—The grade designations to indicate the quality of Ambadi seeds shall be as set out in column 1 of Schedule II.

4. Definition of quality.—The quality indicated by the respective grade designations shall be as set out against each grade designation in columns 2 to 8 of Schedule II.

5. Grade designation mark.—The grade designation mark shall consist of a label specifying the grade designation and bearing a design (consisting of an outline map of India with the word ‘AGMARK’ and the figure of the rising sun, with the words ‘Produce of India’ and भारतीय उत्पाद resembling the one as set out in Schedule I.

6. Method of marking.—(1) The grade designation mark shall be securely affixed to each container in a manner approved by the Agricultural Marketing Adviser.

(2) In addition to the grade designation mark, each container shall be clearly marked with such particulars and in such a manner as may be specified by the aforesaid officer.

(3) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container, in a manner approved by the said Officer, provided that the private trade mark does not represent quality or grade of Ambadi seeds different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

7. Method of packing.—(1) Only sound, clean and dry containers made of jute, shall be used for packing. They shall be free from any insect infestation or fungus contamination and also free from any undesirable smell.

(2) The containers shall be securely closed and sealed in a manner approved by the Agricultural Marketing Adviser.

(3) Each package shall contain Ambadi seeds of one grade designation only.

8. Special conditions of certificate of authorisation.—In addition to the conditions specified in rule 4 of the General Grading and Marking Rules, 1937, the following shall be the conditions of every certificate of authorisation issued for the purpose of these rules, namely:—

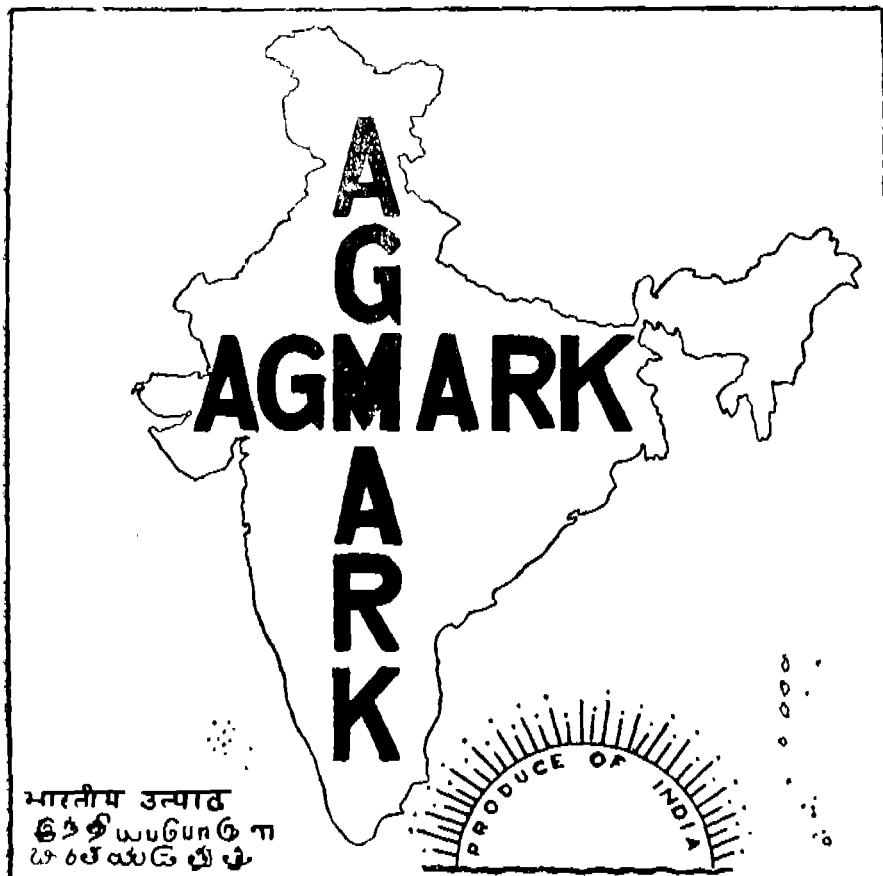
(1) An authorised packer shall make such arrangements for testing Ambadi seeds, as may be prescribed from time to time by the Agricultural Marketing Adviser.

(2) An authorised packer shall provide all facilities to the Inspecting Officers duly authorised by the Agricultural Marketing Adviser, for sampling, testing and such other matters as may be specified.

SCHEDULE I

(See rule 5)

Design for the Grade Designation Mark



SCHEDULE II.

(See rules 3 and 4)

Grade Designation	Special Characteristics.							General Characteristics
	Foreign matter (per cent) by weight.	Other seeds (edible) (per cent) by weight	Damaged and discoloured seeds (per cent) by weight	Shrivelled and immature seeds (per cent) by weight	Admixture of other types (per cent) by weight	Weevilled seeds (per cent) by weight		
I	2	3	4	5	6	7	8	
Grade I		1.00	0.50	0.25	1.00	0.25	0.00	Ambadi Seeds shall :—
Grade II	• •	2.00	1.00	0.25	1.50	0.50	1.00	(a) be the dried, mature seeds of the plants botanically known as <i>Hibiscus Cannabinus</i> and <i>Hibiscus Sabdariffa</i> .
Grade III	• •	4.00	2.00	0.50	2.00	1.00	2.00	(b) have uniform shape, size and colour.
								(c) be dry, clean and free from moulds, weevils, obnoxious smell, discolouration, admixture of deleterious substances and all impurities except to the extent indicated in the Schedule.
								(d) be in sound merchantable condition.

Definitions :—

- (a) *Foreign matter* :—Any foreign matter of the nature of dust, stones, lumps of earth and mud, chaff, straw, non-edible seeds and other matter which is not covered by any other item.
- (b) *Damaged seeds* :—Seeds that are internally discoloured and spoiled by natural or unnatural factors.
- (c) *Shrivelled and Immature seeds* :—Seeds which are not properly developed and having wrinkled surface.
- (d) *Weevilled seeds* :—Seeds partially or wholly bored or eaten by weevil or any other insects.

NOTE :—For accidental errors, a tolerance is permissible upto 0.25, 0.5 and 1.0 percent in excess of the tolerance specified in each of the Columns 2 and 5 for grades I, II and III respectively, and a tolerance is permissible upto 0, 0.01, 0.05 and 0.25 per cent in excess of the tolerance specified in each of the columns 3, 4, 6 and 7 for grades I, II and III respectively.

[No. F. 17-24/63-AM].

New Delhi, the 25th February 1964

S.O. 759.—In exercise of the powers conferred by section 6 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby declares that the provisions of the said Act shall apply to the following article, namely:—

Cashew-Shell Oil (Liquid).

[No. F. 17-33/63-AM.]

V. S. NIGAM, Under Secy.

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 26th February 1964

S.O. 760.—In pursuance of the appropriate provision of the Indian Cotton Cess Act, 1923 (14 of 1923), the Central Government are pleased to appoint the following persons to be members of the Indian Central Cotton Committee, Bombay upto the period shown against them.

Sl. No.	Name and address	Section	Period
1	Shri Sohan Bir Singh, Deputy Director of Agriculture (Cotton), Uttar Pradesh, Lucknow	4(ii)	1-4-64 to 31-3-67.
2	Dr. S. Krishnamurthi, Director of Agriculture, Madras	4(iii)	up to (31-3-66)
3	Shri B. V. Magavi, M.L.A., Haveri, Distt. Dharwar	4(x)	1-4-64 to 31-3-67.
4	Shri P. S. Majumdar, Director of Agriculture, Assam State, Shillong.	4(x)	up to (31-3-64)

[No. 1-11/64-Com. III.]

N. K. DUTTA, Under Secy.

MINISTRY OF HEALTH

CORRIGENDUM

New Delhi, the 27th February 1964

S.O. 761.—In the notification of the Government of India in the Ministry of Health No. 3-48/63-MPT, dated the 15th January, 1964, in the third paragraph, against the entry relating to Col. Amir Chand, for 'F.R.C.S. (Edin)' read:—

"F.R.C.P. (Edin)".

[No. F. 3-48/63-MPT.]

B. B. L. BHARADWAJ, Under Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

New Delhi, the 28th February 1964

S.O. 762.—In exercise of the powers conferred by sub-section (1) of section 218 of the Merchant Shipping Act, 1958 (44 of 1958), read with rules 3 and 4 of the National Welfare Board for Seafarers Rules, 1963, the Central Government hereby

makes the following amendment in the Notification of the Government of India in the Ministry of Transport (Transport Wing) No. S.O. 3482, dated the 13th December, 1963, namely:—

In the said Notification for entry 10 the following entry shall be substituted, namely:—

"10. Mrs. P. Johari, Deputy Secretary, Ministry of Health, New Delhi,—
Representative of the Central Government."

[No. 6-MT(64)/62.]

D. S. NIM, Dy. Secy.

**DEPTT. OF POSTS AND TELEGRAPHS
(P. & T. Board)**

New Delhi, the 26th February 1964

S.O. 763.—In exercise of the powers conferred by section 43 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following rules further to amend the Indian Post Office Rules, 1933, namely:—

1. (1) These rules may be called the Indian Post Office (First Amendment) Rules, 1964.

(2) They shall come into force on the 1st day of March, 1964.

2. In the Indian Post Office Rules, 1933,—

(i) rule 112 shall be renumbered as sub-rule (1) of that rule and after the sub-rule as so renumbered, the following sub-rule shall be inserted, namely:—

"(2) From out of the commission chargeable under sub-rule (1), three naye paise shall be recovered at the time of supply of the money order form prescribed by the Director-General and the balance shall be recovered at the time when the money order form is presented at the post office in accordance with the provisions of rule 115, or as the case may be, rule 131:

Provided that in respect of money orders required to be sent on Special money order forms the whole commission shall be recovered at the time of such presentation:";

(ii) in rule 114, for the words "a money order form prescribed by the Director-General" the words and figures "the money order form referred to in sub-rule (2) of rule 112" shall be substituted;

(iii) in rule 115, for the word "commission" the words "the commission payable" shall be substituted;

(iv) in rule 116, for the word "commission" the words "the commission" shall be substituted;

(v) in rule 123, for the words "equal to the first" the words and figures "calculated in accordance with sub-rule (1) of rule 112" shall be substituted;

(vi) in rule 130, for the words "a money order form prescribed by the Director-General" the words and figures "the money order form referred to in sub-rule (2) of rule 112" shall be substituted;

(vii) in rule 139 after the word "chargeable" the words "in accordance with sub-rule (1) of rule 112" shall be inserted.

[No. 13-4/64-Cl.]

A. V. SESHANNA,
Director Postal Technical.

MINISTRY OF EDUCATION

ARCHAEOLOGY

New Delhi, the 22nd February 1964

S.O. 764.—Whereas the Central Government considers that the antiquities specified in the schedule below ought not to be moved from the place where they are without the sanction of the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 25 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby directs that the said antiquities shall not be moved from the place where they are except with the written permission of the Director General of Archaeology.

SCHEDULE

State	District	Pargana	Locality	Name of antiquity
Bihar	Patna	Beshwak	Modern brick enclosure on a mound in village Jodishpur.	(i) Colossal black stone image of Buddha seated in the earth-touching attitude being attached by Mara's legions and (ii) a sculpture of seated Buddha in Abhaya Mudra with devotees on all sides and Buddhist creed near the head (3'-3"×1'-9") placed in a modern brick enclosure on the mound bearing Serial No. 8072".

[No. F. 4-12/63-C.1.]

New Delhi, the 28th February 1964

S.O. 765.—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

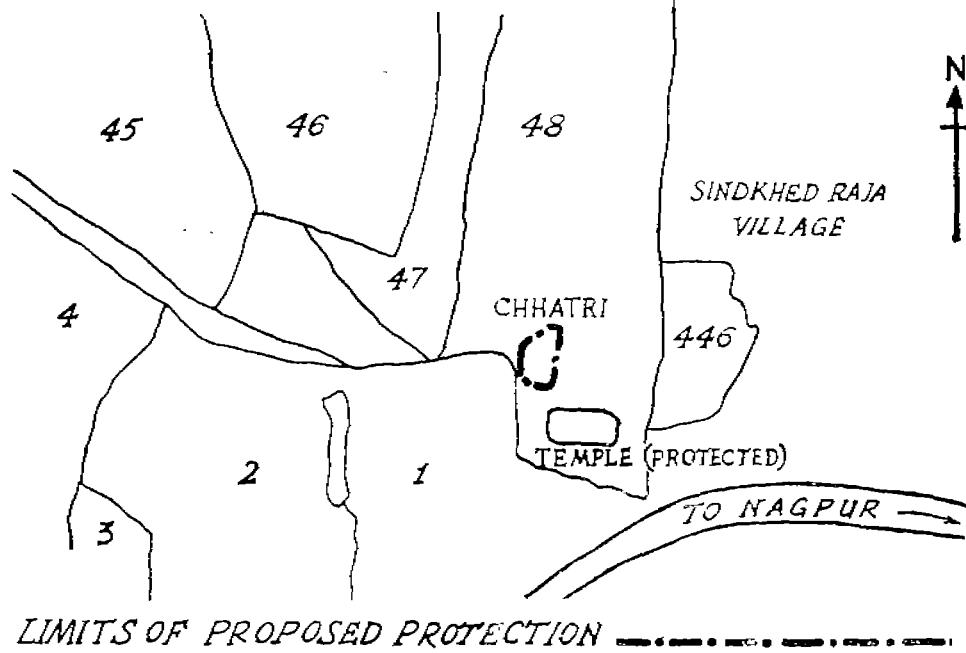
Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

SCHEDULE

Serial No.	State	District	Tehsil	Locality	Name of monument/site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Maharashtra	Buldana	Mekhar	Sindkhed Raja.	Lakhaji Jadhav-rao's Chhatri together with adjacent land comprised in part of survey plot number 48.	A part of survey plot number 48 as per plan reproduced below.	24 Guntha.	North.—Remaining portion of survey plot No. 48. East.—Remaining portion of survey plot No. 48. South.—Remaining portion of survey plot No. 48. West.—Remaining portion of survey plot No. 48.	Private.	

SITE PLAN OF
LAKHUJI JADHAVRAO'S CHHATRI AT SINDKhed RAJA

0 20 40 METRES 0 50 100 FEET



[No. F. 44/64-C1.]

S. J. NARSIAN.
Assistant Educational Adviser.

MINISTRY OF WORKS, HOUSING & REHABILITATION
(Department of Rehabilitation)
(Office of the Regional Settlement Commissioner)

New Delhi, the 24th February 1964

S.O.766.—Whereas the Central Government is of opinion that it is necessary to acquire the evacuate properties specified in the Schedule hereto annexed in the Union Territory of Delhi for public purpose, being a purpose connected with relief and rehabilitation of displaced persons including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the evacuate properties specified in the Schedule hereto.

SCHEDULE

Sl. No.	Particulars of property		Area	Name of the evacuate with rights in the property
<i>Village Bhoogarh</i>				
	Khewat No.	Khasra No.	Bigha Bis	
1 98/195	21/16/2	1 12	Bhartu son of Marey, non-evacuee mortgagor. Nasib Khan son of Munir Khan evicuee mortgagee evacuee vesting the Custodian.	
2 84/176	21/25	2 1	Puran Singh, Anar Singh, Risal Singh in equal shares mortgagor non-evacuee, Nasib Khan son of Munir Khan mortgagee evicuee vesting the Custodian.	
3 23/24/1	41/4/2	0 8	Abdul Razak and Amin Khan ss/o Abdul Ghani in equal shares (1/2) Mahabub Khan son of Rahim Khan (1/2 share) evicuee mortgagor. Behari Lal son of Bhajan Lal mortgagee non- evacuee vesting the Custodian.	
4 28/61	16/3/1	1 12	Abdul Razaq, Amin Khan ss/o Abdul Ghani in equal shares (10 shares) and Yaqoub Khan, Ayub Khan, Abdul Qayyum Khan, Yusaf Khan ss/o Mehboob Khan in equal shares (5 shares). Saman Ali, Kasam Ali ss/o Barkat Ali in equal shares (3 shares).	
			Shakoor Khan son of Amin Khan (18 shares), Hoshiar Khan, Rashid Khan, Mehbوب Khan ss/o Munir Khan (9 shares). Bahal Khan, Yaqub Khan ss/o Rehmat Khan in equal shares (9 shares).	
			Nasib Khan son of Munir Khan (9 shares) owner ship rights (cultivator's column) Chhajuu s/o Gheissa occupancy tenants evicuee.	

[No. F. 1(10)/L&R/62]

(Office of the Chief Settlement Commissioner)

New Delhi, the 24th February 1964

S.O. 767.—Whereas the Central Government is of opinion that it is necessary to acquire the evacuate properties specified in the Schedule hereto annexed in the Union territory of Delhi for public purpose, being a purpose connected with the relief and rehabilitation of displaced persons including payment of compensation to such persons.

Now, Therefore, in exercise conferred by Section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the evacuee properties specified in the schedule hereto annexed.

SCHEDULE

Serial No.	Particulars of property Khewat No.	Area Khasra, No.	Big. Bis.	Name of the evacuee with rights in the Property
<i>Village Salahpur Majra</i>				
1 / 111	29/19/1	2	14	Cultivator's column Mst. Patoo wd/o Nanoo & Sheroo Uddin s/o Abdul Ghani and Abdul Rehman and Abdul Aziz ss/o Wazira in equal shares occupancy tenants mortgagor evacuee, Amar Singh and Bharat Singh ss/o Indraj in equal shares mortgagee non-evacuee vesting the Custodian.
2 / 112	29/19/2 29/20	2 3	2 8	Cultivator's column Mst. Patoo wd/o Nanoo 1/4th share mortgagor, Sheroo-Uddin son of Abdul Ghani 1/4th share without mortgage. Abdul Rehman and Abdul Ghafoor ss/o Wazirain equal shares 1/2 occupancy tenants evacuee mortgagor, Amar Singh and Bharat Singh ss/o Indraj, in equal shares mortgagee non-evacuee vesting the Custodian.
	TOTAL .		5	10
3 / 113	29/18/2	2	10	Cultivator's column Mst. Patoo wd/o Noano ^o Sheroo Uddin s/o Abdul Ghani and Abdul Rehman and Abdul Aziz ss/o Wazira occupancy tenant, evacuee, mortgagor Dalip Singh/s/o Chajo mortgagee non-evacuee vesting the Custodian.
4 / 114	45/23	4	12	Mst. Patoo wd/o Sh. Nanoo Sheroo Uddin son of Abdul Ghani Abdul Rehman, Abdul Aziz ss/o Wazira occupancy tenants evacuee in equal shares mortgagor. Patch s/o Ram Nath mortgagee non-evacuee vesting the Custodian.
<i>Village Lampur</i>				
5 84	706	4	16	Naiki son of Udmi non-evacuee mortgagor vesting the Custodian, Mst. Fardul Nisa daughter of Haji Ahmed Hussain alias Nawab mortgagee evacuee.
<i>Village Hamidpur</i>				
6 1/108	31/7 38/16/2	4 1	2 16	Cultivator's column, Nathoo son of Bhola occupancy tenants non evacuee vesting the Custodian mortgagor, Gulab son of Maroo mortgagee evacuee.
	TOTAL		5	18
<i>Village Bowana</i>				
7 71/111	193/23 193/18/3	2 0	1 19	Cultivator's column Mst. Fatima wd/o Imardin and Chandgi s/o Nathu in equal shares 1/2 share evacuee. Manghey Bhartoo ss/o Juma in equal shares 1/2 share non occupancy tenants, non-evacuee vesting the Custodian .
	TOTAL		3	00

Sl No.	Particulars of property		Area	Name of the evacuee with rights in the property
	Khewat No.	Khasra No.	Big. Bis.	
8	253/403	62/19 62/20 62/21 62/22/1	4 16 4 16 4 16 3 8	Cultivators' column, Maioo son of Bhikoo 1/4th share. Nanak son of Bhoola 3/4 share occupancy tenants evacuee.
	TOTAL		17 16	
9	253/403	162/23/I/1 180/2/1 180/3/1	2 3 4 12 1 16	Cultivators' column, Bhatoo s/o Mangat non-evacuee occupancy tenant vesting the Custodian.
	TOTAL		8 11	

[No. F. 1(10)/L&R/62]

S.O. 768.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act 1954 (44 of 1954), the Central Government hereby appoints S/Shri Gurdial Singh Monga, P.C.S., and Tej Singh, PCS, Settlement Officers (Sales) in the Rehabilitation Department, Punjab Government, so long as they hold these posts, to be Assistant Settlement Commissioners in the State of Punjab, for the purpose of performing, in addition to their own duties as Settlement Officers (Sales), Rehabilitation Department, Punjab Government, the functions assigned to an Assistant Settlement Commissioner by or under the said Act in respect of agricultural lands and shops in any rural area including houses, cattle sheds and vacant sites, if any such area allotted along with any such lands and forming part of the Compensation Pool.

[No. 3(5)/L&R/64.]

New Delhi, the 2nd March 1964

S.O. 769.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the State of U.P. for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

A SCHEDULE

All properties in the State of U.P., which have vested in the Custodian under section 11 of the Evacuee Interest (separation) Act, 1951, as a result of adjudication by the Competent Officers under the provisions of the said Act upto 29th February 1964 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officers.

[No. 2(21)/Comp. & Prop/61.]

S.O. 770.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the States of Delhi, Madhya Pradesh, Bihar and Orissa for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the properties specified in the schedule hereto annexed.

A SCHEDULE

All properties in the States of Delhi, Madhya Pradesh Bihar and Orissa which have vested in the Custodian under Section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officer under the provisions of the said Act upto 29th February 1964 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer.

[No. 22(14)/Comp. & Prop/61.]

S.O. 771.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the State of Rajasthan for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

A SCHEDULE

All properties in the State of Rajasthan which have vested in the Custodian under section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officer under the provisions of the said Act, upto 29th February, 1964 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer.

[No. 22(13/Comp. & Prop/61]

M. J. SRIVASTAVA,

Settlement Commissioner & Ex-Officio, Under Secy.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 24th February 1964

S.O. 772.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri T. R. Chona, as Assistant Settlement Officer for the purposes of performing the functions assigned to such officers by or under the said Act with effect from 17th January, 1964.

[No. 8(54)AGZ/64.]

New Delhi, the 26th February 1964

S.O. 773.—In exercise of the powers conferred by Sub-Section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government hereby appoints the officers holding the posts of Tehsildar (Sales) in the State of Punjab, as Assistant Custodians within the limits of their territorial jurisdiction for the purpose of discharging the duties imposed on Custodian by or under the said Act, with immediate effect.

[No. 10(38)AGZ/63.]

S.O. 774.—In exercise of the powers conferred by clause (a) of Sub-Section (2) of Section 18 of the Displaced Persons (Compensation and Rehabilitation) Act 1954 (44 of 1954) the Central Government hereby appoints for the Union territory of Delhi, Shri Kartar Singh, Managing Officer, in the office of Regional Settlement Commissioner, New Delhi, as Managing Officer for the custody, management and disposal of Compensation pool with effect from the date he took over charge of his office.

[No. F. 7(4)ARG/64.]

S.O. 775.—In exercise of the powers conferred by Sub-Section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the Union Territory of Delhi, Shri Kartar Singh, Managing Officer, in the office of the Regional Settlement Commissioner, New Delhi, as Assistant Custodian for the purpose of discharging the duties imposed on Custodian by or under the said Act with effect from 1st January, 1964

[No. 7(4)ARG/64.]

S.O. 776.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of

1954), the Central Government hereby appoints Shri M. B. Bhalla as Assistant Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the date he took charge of his post.

[No. 8/53/AGZ/64.]

S.O. 777.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act 1954 (No. 44 of 1954), the Central Government hereby appoints for the State of Uttar Pradesh, Shri B. P. Maithani, Managing Officer in the office of the Regional Settlement Commissioner, Uttar Pradesh, (Lucknow) as Managing Officer for the custody, management and disposal of Compensation Pool with effect from the date he took over charge of his office.

[No. 7(5)ARG/64.]

S.O. 778.—Notification of even No. dated 16th January, 1964 is hereby cancelled.

[No. 7(7)ARG/64.]

New Delhi, the 2nd March 1964

S.O. 779.—In exercise of the powers conferred by Sub-Section (I) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, (No. 44 of 1954), the Central Government hereby appoints Shri D. R. Sharma as Assistant Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the date he took over charge of his post.

[No. 8/(48)ARG/64.]

S.O. 780.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints for the Union Territory of Delhi Shri R. H. Vaswani, Managing Officer in the office of Regional Settlement Commissioner, New Delhi as Managing Officer for the custody, management and disposal of compensation pool with effect from the date he took over charge of his office.

[No. 7(2)AGZ/64.]

S.O. 781.—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the Union Territory of Delhi Shri R. H. Vaswani, Managing Officer in the office of the Regional Settlement Commissioner, Delhi as Assistant Custodian for the purpose of discharging the duties imposed on Custodian by or under the said Act with effect from 1st January, 1964.

[No. 7(2)AGZ/64.]

S.O. 782.—In exercise of the powers conferred by clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints for the Union territory of Delhi Shri R. N. Khanna, Managing Officer in the office of Regional Settlement Commissioner, Delhi as Managing Officer for the custody, management and disposal of compensation pool with effect from the date he took over charge of his office.

[No. 7(1)ARZ/64.]

KANWAR BAHADUR,

Settlement Commissioner (A) & Ex-Officio, Dy. Secy.

MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 22nd February 1964

S.O. 783.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2040, dated 29th July 1963 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas, the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Bihar	Distt—Monghyr	Thana—Jamui		
Village with Thana No.	Survey No. (Plot No.)	Extent in acre	Village with Thana No.	Survey No. (Plot No.)
Bariapur No. 14	26	0.52	Malepur No. 12.	1212 0.02
	410	0.06		1339 0.22
	409	0.10		1327 0.32
	408	0.01		1332 0.665
	30	0.57		1325 0.055
	25	0.79		1262 0.39
	31	0.01		1263 0.11
	35	0.09		1264 0.03
	36	0.05		1268 0.03
	37	0.04		1266 0.01
	38	0.35		1267 0.31
	39	0.43		1281 0.65
	53	0.05		1282 0.05
	51	0.105		1464 0.045
	50	0.12		1469 0.79
	49	0.13		1471 0.04
	44	0.09		1477 0.63
	43	0.04		1488 0.01
	116	0.06		1476 0.15
	400	0.735		1498 0.045
	180	0.04		1499 0.235
	179	0.01		1504 0.055
	181	0.08		1505 0.20
	182	0.12		1506 0.19
	183	0.09		1522 0.14
	184	0.25		1524 0.19
	185	0.26		1529 0.11
	394	0.02		1528 0.125
	393	0.05		1527 0.02
	392	0.15		1566 0.005
	391	0.18		1565 0.09
	679	0.14		1070 0.16
	680	0.02		1568 0.22

Village with Thana No.	Survey No. (Plot No.)	Extent in acre	Village with Thana No.	Survey No. (Plot No.)	Extent in acre
Malepur No. 12—contd.	1064	0.01	Achhra No. 19—contd.	399	0.16
	1065	0.005		402	0.31
	1063	0.08		407	0.09
	1066	0.01	Katauna No. 22	3190	0.10
	1061	0.022		3189	0.485
	1058	0.295		3212	0.04
	1055	0.025		3213	0.095
Kolhus No. 11.	1725	0.19		3183	0.27
	1728	0.10		3168	0.06
	1730	0.13		3167	0.80
	1731	0.13		3166	0.23
	1732	0.20		3148	0.10
	1735	0.19		3147	0.21
	1739	0.19		3149	0.04
	1740	0.15		3146	0.23
	1695	0.04		3145	0.22
	1696	0.005		3144	0.20
	1694	0.14		3143	0.37
	1693	0.005		3639	0.07
	1679	0.52		3649	0.53
Achhra No. 19	162	0.24		3657	0.16
	180	0.71		3658	0.36
	172	0.01		3670	0.10
	173	0.20		3667	0.06
	171	0.29		3645	0.005
	214	0.015		3669	0.26
	216	0.18		3674	0.09
	217	0.20		3676	0.99
	218	0.07		3735	0.15
	229	0.04		3734	0.78
	227	0.82		3738	0.20
	389	0.17		3737	0.01
	388	0.035		3736	0.14
	387	0.015		3744	0.27
	395	0.37		3745	0.21
	401	0.01		3759	0.07

[No. 31(47)63-ONG.]

S.O. 784.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2129, dated 5th August, 1963 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land), Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas, the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Bihar

District—Monghyr

Thana—Jamu

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Sewa No. 136	67	0.02	Sewa No. 136—contd.	1540	0.03
	68	0.42		1543	0.055
	71	0.075		1539	0.02
	70	0.105		1544	0.045
	72	0.01		1549	0.01
	69	0.08		1545	0.05
	630A	0.015		1546	0.015
	78	0.155		1547	0.015
	79	0.005		3279	0.055
	28	0.04		1548	0.04
	630B	0.075		3280	0.04
	633	0.45		3278	0.04
	634	0.04		3281	0.08
	642	0.015		3275	0.185
	643	0.065		3268	0.11
	644	0.275		3272	0.065
	645	0.105		3266	0.04
	648	0.375		3267	0.01
	650	0.155		3265	0.120
	651	0.02		3263	0.04
	652	0.07		3244	0.22
	664	0.105		3245	0.085
	668	0.145		3240	0.07
	708	0.315		3249	0.07
	707	0.155		3258	0.185
	706	0.25		3248	0.035
	709	0.18		3230	0.475
	710A	0.05		710B	0.085
	712A	0.14		1558	0.05
	713	0.16		3227	0.345
	714	0.23		3231	0.155
	728	0.02		3232	0.105
	726	0.09		3233	0.025
	725A	0.20		3181	0.355
	725B	0.01		3176	0.03
	724	0.375		3174	0.175
	723	0.02		3178	0.24
	694	0.015		3179	0.035
	749	0.035		3154	0.46
	1344	0.10		333J	0.005
	1345	0.07		3345	0.05
	1346	0.10			
	1347	0.07	Gangra No. 123	25	0.19
	712B	0.01		12	0.055
	1348	0.105		13	0.365
	1349	0.225		15	0.055
	1350	0.17		16	0.22
	1343	0.02		19	0.02
	1342	0.07		20	0.07
	1341	0.01		23	0.14
	1340	0.13		24	0.15
	1571	0.01		26	0.06
	1565	0.065		37	0.25
	1566	0.065		38	0.08
	1567	0.105		44	0.08
	1562	0.18		43	0.22
	1561	0.04		89	0.03
	1560	0.005		42	0.08
	1559	0.105		45	0.01
	1537	0.02			
	1541	0.03			

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Ketrunawada No. 125	13	0.27	Dhamna No. 2—contd.	171	0.205
	23	0.085	Thana-Chakai	172	0.19
	17	0.16		176	0.01
	18	0.24		177	0.02
	19	0.20		183	0.015
	54	0.315	Dadpur No. 6	867	0.02
	21	0.02	Thana-Chakai	9	0.30
	53	0.30		18	0.105
	89	0.13		19	0.14
	90	0.05		20	0.21
	92	0.115		379	0.735
	97	0.025		377	0.07
	96	0.125		380	0.27
	94	0.055		389	0.17
	95	0.06		388	0.09
	100	0.01		372A	0.075
	177	0.02		390	0.005
Thana-Jamui	173	0.545		393	0.06
	172	0.255		372B	0.005
	163	0.03		394	0.295
	167	0.04		409	0.08
	164	0.23		408	0.06
	165	0.215		411A	0.06
	166	0.065		410	0.06
	156	0.13		412	0.005
	290	0.58		356	0.005
	284	0.07		426	0.03
	283	0.525		429	0.18
	280	0.34		428	0.03
	279	0.14		432	0.055
	278	0.03		430	0.17
	298	0.055		455	0.425
	302	0.53		454	0.01
	306	0.015		458	0.305
	304	0.175		466	0.995
	305	0.365		465	0.08
	311	0.025		464	0.13
	312	0.04		470	0.07
Sansarpur No. 124	252	0.15		468	0.24
	251	0.32		459	0.01
Thana-Jamui	247	0.005		411B	0.12
	253	0.38	Sultanpur No. 5	15	0.02
	256	0.035	Thana-Chakai	17	0.17
	257	0.15		18	0.12
	258	0.26		19	0.13
	261	0.035		23	0.11
	229	0.02		22	0.37
	262	0.21		37	0.525
	228	0.005		63	0.02
Dhamna No. 2	162	0.15		36	0.27
Thana-Chakai	168	0.20		35	0.03
	169	0.27		57	0.05
	170	0.09		16	0.015

[No. 31(47)/63-ONG-II.]

S.O. 785.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from the Ankleshwar Oil field in Gujarat State to Baroda in Gujarat State, pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent authority at Elampeco, 4th Floor Sayajiganj Opp. College Lokmanya Tilak Road, Baroda in the office of the Gujarat Pipeline Project. Oil and Natural Gas Commission. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State Gujarat	District Baroda	Taluka Baroda	Acre	Guntha	Sq. Yds.
Village	Survey No				
Ankodia	Simada of Khanpur		0	0	62
"	160		0	21	80
"	Village Road		0	1	3
"	56		0	13	14
"	55		0	12	18
"	54		0	3	104
"	Village Road		0	12	18
"	750		0	5	118
"	Village Road		0	0	93
"	754		0	12	26
"	755		0	19	65
"	771		0	12	41
"	765		0	15	52
"	770		0	0	28
"	764		0	0	18
"	772		0	12	111
"	Village Road		0	1	3
"	787		0	4	5
"	786/1		0	17	20
"	792/2		0	7	55
"	785/1		0	15	5
"	785/2		0	3	2
"	783		0	13	84
"	784		0	1	21
"	Village Road		0	3	104
"	450		0	15	18
"	449		0	6	7
"	439		0	20	77
"	435		0	20	84
"	433		0	5	93
"	452		0	20	38
"	Village Road.		0	3	26
"	356/2+3		0	1	36
"	356/4		0	3	93
"	357		0	5	17
"	354/2		0	11	78
"	354/1		0	0	39
"	3594		0	0	36
"	353		0	20	84
"	362		0	19	65
"	364		0	13	78
"	365		0	5	78
"	368		0	0	72
"	367		0	22	91
"	397		0	11	105
"	398		0	1	68
"	396		0	0	112

Village	Survey No	Acre	Guntha	Sq. Yds.
Ankodia—contd.	399/1	0	11	77
"	395	0	20	69
"	393	0	4	41
"	394/1	0	8	28
"	394/2	0	7	55
"	394/3	0	0	100
"	Village Road	0	0	62
Koyal	1551	0	0	10
"	1547	0	34	33
"	Village Road	0	3	24
"	1537	0	7	70
"	1539	0	2	115
"	1508	0	3	117
"	1505/2	0	7	64
"	1505/1	0	6	104
"	1464	0	0	10
"	1466	0	19	70
"	1465	0	0	4
"	Village Road	0	0	80
"	1467	0	5	68
"	1463	0	0	62
"	1462	0	3	21
"	1461	0	5	75
"	1469	0	4	49
"	Simado	0	0	67
Bajuwa	85	0	10	105
"	82	0	0	80
"	80	0	20	2
"	79	0	4	67
"	77 paiki A	0	2	7
"	77 B Paiki	0	6	14
"	78	0	8	52
"	Village Road	0	0	107
"	62/2	0	9	90
"	62/1	0	4	49
"	63/1	0	0	14
"	63/2	0	5	88
"	Smado Road	0	0	67
Sevas	Village Road between Bhaili & Sevas	0	1	73
"	583	0	28	11
"	584	0	20	61
"	566	0	20	69
"	567	0	2	42
"	Village Road between S. No. 566 & 567	0	1	11
"	553	0	2	30
"	551/1	0	18	0
"	550	0	4	101
"	549	0	18	0
"	547	0	13	37
"	546	0	3	88
"	543	0	12	104
"	544	0	18	109
"	Village Road between S. No. 636 & 544	0	0	101
"	636	0	17	97
"	637	0	13	84
"	676	0	0	114
"	677	0	9	0
"	648/1	0	1	71
"	670	0	21	10
"	649	0	25	63

Village	Survey No	Acre	Guntha	Sq. Yds.
Sevasi—contd.	669 Village Road between S. No. 779 & 669	0	14	79
"	769	0	3	34
"	770	0	13	60
"	771/1	0	1	106
"	771/2	0	5	78
"	781	0	7	24
"	Village Road between S. No. 1003 & 781	0	31	21
"	1003	0	4	53
"	1006	0	2	25
"	1004	0	21	18
"	1012	0	11	0
"	1018 Paiki	0	17	105
"	1018 "	0	11	69
"	1019 "	0	11	85
"	Panchayat Road between Simada of Sevasi and Khanpur	0	22	52
Khanpur	Village Road between Simada of Ankodia	0	2	108
"	201	0	0	62
"	200	0	3	56
"	197	0	20	22
"	196	0	20	46
"	210	0	2	2
"	211	0	5	78
"	212	0	14	105
"	Village Road between S. No. 212 & 23	0	25	86
"	23 + 24	0	2	30
"	38	0	15	5
"	Village Road between S. No. 23, 24 & 38	0	0	96
"	35	0	0	114
"	33	0	12	104
"	30 & 31	0	21	111
"	32	0	18	102
"	Village Road between S. No. 30 & 50	0	0	89
"	50	0	3	26
"	51	0	3	72
"	55	0	9	114
"	56	0	15	28
"	Village Panchayat Road between Simada of Khanpur and Sevasi	0	3	85
Koyali	86	0	2	108
"	85	0	6	75
"	84	0	11	15
"	Village Road between S. No. 84 & 83	0	7	86
"	83	0	0	93
"	82	0	8	27
"	Village Road between S. No. 82 & 67/2	0	8	10
"	75	0	3	28
"	76	0	13	76
"	77	0	13	21
"	Village Road between S. No. 77 & 338	0	11	108
"	338	0	1	74
"	340	0	21	47
"	342	0	27	71
"	343	0	16	55
"	343/1	0	9	31

Village	Survey No.	Acre	Guntha	Sq. Yds.
Koyali—contd.	Village Road between S. No. 343/I & 415 0 10 34			
"	415 0 13 19			
"	414 0 10 100			
"	412 0 1 39			
"	413 0 15 67			
"	Village Road between S. No. 414 & 412. . . . 0 6 21			
"	430 0 4 60			
"	429 0 4 60			
"	428 0 4 60			
"	427 0 4 60			
"	426 0 20 67			
"	Village Road between Simada of Ankodia & Koyali . . . 0 0 62			
Bhaili	1669 0 24 89			
"	1670 0 21 86			
"	Panchayat Road 0 1 106			
"	1807 0 21 119			
"	1808 0 25 18			
"	1809 0 17 17			
"	1802 0 0 72			
"	Panchayat Road 0 2 58			
"	2198 0 28 6			
"	2199 0 7 80			
"	2202 0 4 44			
"	2206 0 8 45			
"	2200 0 8 99			
"	Panchayat Road 0 2 78			
"	2225 0 11 116			
"	2226 0 3 59			
"	2224 0 15 96			
"	2223 0 10 110			
"	2222 0 6 14			
"	2216 0 11 49			
"	2220 0 13 19			
"	Panchayat Road 0 1 12			
"	2330 0 9 118			
"	2331 0 8 105			
"	2334/2 0 8 85			
"	2334/1 0 9 11			
"	2338 0 3 112			
"	2333 0 1 30			
"	Panchayat Road 0 1 106			
"	2344 0 15 62			
"	2345 0 17 9			
"	Panchayat Road 0 1 84			
Gokalpura	243 0 1 29			
Bhaili	891 0 7 103			
"	892 0 8 52			
"	893 0 8 19			
"	933 0 10 23			
"	Panchayat Road, between S. No. 933 & 931 0 0 100			
"	931 0 1 4			
"	930 0 10 70			
"	999 0 25 2			
"	926 0 15 18			
"	992 0 5 106			
"	991 0 0 50			
"	993 0 27 120			
"	Panchayat Road 0 5 62			
"	1201 0 6 35			
"	1202/2 0 0 89			
"	1202/1 0 19 89			
"	1200 0 5 23			

Village	Survey No.	Acre	Gunta	Sq. Yds.
Gokalpura				
Bhaili	1199	.	.	.
"	1198	.	.	.
"	1197	.	.	.
"	1196	.	.	.
"	1147	.	.	.
"	Panchayat Road	.	.	.
"	1155/1	.	.	.
"	1155/2	.	.	.
"	1154	.	.	.
"	1153	.	.	.
"	Panchayat Road	.	.	.
"	1668	.	.	.
Samiala	451	.	.	.
"	Panchayat Road	.	.	.
"	643	.	.	.
"	640	.	.	.
"	644	.	.	.
"	645/2	.	.	.
"	645/1	.	.	.
"	645/3	.	.	.
"	648	.	.	.
"	647	.	.	.
"	647/1	.	.	.
"	647/2	.	.	.
"	647/3	.	.	.
"	647/4	.	.	.
"	647/5	.	.	.
"	649	.	.	.
"	650	.	.	.
"	651	.	.	.
"	Panchayat Road	.	.	.
Gokalpura	101	.	.	.
"	99	.	.	.
"	98/1	.	.	.
"	98/2	.	.	.
"	86	.	.	.
"	85	.	.	.
"	83	.	.	.
"	251	.	.	.
"	249	.	.	.
"	244	.	.	.
"	247	.	.	.
Bhayali	890	.	.	.
"	1049	.	.	.
"	1775	.	.	.
"	2497	.	.	.

[No. 31(38)/63-ONG.]

S.O. 786.—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 219 dated 9th January, 1964, under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Gujarat State—	Baroda District—	Karajan Taluka—	Acre	Guntha	Sq. Yds.
Village	Survey No.				
Manpur					
	Panchayat Road on boundary of Khandha		0	2	30
33	180	0	14	72	
33	179	0	26	10	
33	Panchayat Road between 179 and 111	0	2	30	
33	111	1	1	25	
33	112	0	20	30	
33	113	0	23	79	
33	127	7	10	112	
33	126	0	26	58	
33	130/1	0	25	102	
33	131	0	26	26	
33	132	0	16	75	
33	133	0	1	42	
33	Panchayat Road between 132 and 26	0	1	35	
33	26	0	10	3	
33	25	0	9	78	
33	Panchayat Road between 25 and 24	0	4	60	
33	24	0	21	49	
33	19/1A	0	11	92	
33	19/1B	0	11	69	
33	Panchayat Road between 19/1A and 17	0	0	109	
33	17	0	25	39	
33	18	0	3	88	
34	9	0	7	96	
34	6	0	25	8	

[No. 31(38)/63-ONG.]

B. SUBBA RAO, Under Secy.

CENTRAL WAREHOUSING CORPORATION

NOTICE

New Delhi, the 22nd February 1964

S.O. 787.—In exercise of the powers conferred by Rule 13 of the Central Warehousing Corporation Rules, 1963, the names and addresses of the directors duly elected by the respective class of shareholders under clauses (d), (e) and

(f) of sub-section (1) of Section 7 of the Warehousing Corporations Act, 1962, are notified below:

<i>Class of Shareholders</i>	<i>Name of the Director</i>
1. Scheduled Banks (other than State Bank).	Shri Rajendra Lal Tuli, General Manager, Punjab National Bank Ltd., Parliament Street, New Delhi-1.
2. Co-operative Societies.	Shri B. Bhakthavathsalu Naidu, President, Co-operative Central Bank Ltd., Vellore, N.A. District, Madras State.
3. Insurance Companies, Investment Trusts and other financial institutions, recognised associations and companies dealing in agricultural produce or notified commodities.	Shri Y. A. Fazalbhoy, Grosvenor House, Peddar Road, Bombay-26.

[No. XII-1/64-S.]

D. C. DAS,
Managing Director.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 24th February 1964

S.O. 788.—In exercise of the powers conferred by sub-section (1) of section of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following Scheme further to amend the Vizagapatam Dock Workers (Regulation of Employment) Scheme 1959, the same having been previously published as required by the said sub-section, namely:—

1. This Scheme may be called the Vizagapatam Dock Workers (Regulation of Employment) Amendment Scheme, 1964.
2. In the Vizagapatam Dock Workers (Regulation of Employment) Scheme, 1959, in sub-clause (2) of clause 7, the following words shall be inserted at the end, namely:—

“nor prevent the incurring of expenditure on welfare measures, if any, for the staff of the Board.”

[No. 525/3/62-Fac.]

S.O. 789.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following Scheme further to amend the Cochin Dock Workers (Regulation of Employment) Scheme, 1959, the same having been previously published as required by the said sub-section, namely:—

1. This Scheme may be called the Cochin Dock Workers (Regulation of Employment) Amendment Scheme, 1964.
2. In the Cochin Dock Workers (Regulation of Employment) Scheme, 1959, in sub-clause (2) of clause 7, the following words shall be inserted at the end, namely:—

“nor prevent the incurring of expenditure on welfare measures, if any, for the staff of the Board.”

[No. 525/3/62-Fac.]

S.O. 790.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following Scheme further to amend the

Bombay Dock Workers (Regulation of Employment) Scheme 1956, the same having been previously published as required by the said sub-section, namely:—

1. This Scheme may be called the Bombay Dock Workers (Regulation of Employment) Amendment Scheme, 1964.

2. In the Bombay Dock Workers (Regulation of Employment) Scheme, 1956, in sub-clause (2) of clause 7, the following words shall be inserted at the end, namely:—

“nor prevent the incurring of expenditure on welfare measures, if any, for the staff of the Board.”

[No. 525/3/62-Fac.]

S.O. 791.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following Scheme further to amend the Calcutta Dock Workers (Regulation of Employment) Scheme 1956, the same having been previously published as required by the said sub-section, namely:—

1. This Scheme may be called the Calcutta Dock Workers (Regulation of Employment) Amendment Scheme, 1964.

2. In the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956, in sub-clause (2) of clause 7, the following words shall be inserted at the end, namely:—

“nor prevent the incurring of expenditure on welfare measures, if any, for the staff of the Board.”

[No. 525/3/62-Fac.]

K. D. HAJELA, Under Secy.

New Delhi, the 24th February 1964

S.O. 792.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees Provident Funds Act, 1952 (19 of 1952), Shri O. N. Sharma, was appointed by the Central Government as an Inspector for the whole of the State of Rajasthan for the period from the 5th November 1962 to the 26th November, 1962 for the purposes of the said Act and of any Scheme framed thereunder in relation to any establishment belonging to or under the Control of the Central Government, or in relation to any establishment connected with a Railway Company, a major port, a mine or an oil-field, or a controlled industry.

[No. 17(31)/62-PF I/I.]

S.O. 793.—In pursuance of the provisions of paragraph 20 of the Employees Provident Funds Scheme 1952, Shri O. N. Sharma, Deputy Labour Commissioner, Rajasthan was appointed by the Central Government, as the Regional Provident Fund Commissioner, for the whole of the State of Rajasthan for the period from the 5th November, 1962 to the 26th November, 1962.

[No. 17(31)/62-PFI/II.]

SHAH AZIZ AHMAD, Dy. Secy.

New Delhi, the 24th February 1964

S.O. 794.—PW(Mines) Rules/Am.—In exercise of the powers conferred by sub-sections (2), (3) and (4) of section 26, read with section 24, of the Payment of Wages Act, 1936 (4 of 1936), the Central Government hereby makes the following rules further to amend the Payment of Wages (Mines) Rules, 1956, the same rules having been previously published as required by sub-section (5) of the said section 26, namely:—

(1) These Rules may be called the Payment of Wages (Mines) Amendment Rules, 1964.

(2) In the Payment of Wages (Mines) Rules, 1956, hereinafter referred to as the said rules, in rule 2,—“(i) after clause (a), the following clause shall be inserted, namely:—

(aa) “agent” means an agent as defined in clause (c) of section 2 of the Mines Act, 1952 (35 of 1952);

(ii) after clause (i), the following clause shall be inserted, namely:—

"(ii) 'manager' means the person appointed under section 17 of the Mines Act, 1952 (35 of 1952) to discharge the functions of a manager;"

(iii) after clause (jj), the following clause shall be inserted, namely:—

"(jjj) 'owner' means the owner as defined in clause (1) of section 2 of the Mines Act, 1952 (35 of 1952);"

(3) After rule 2 of the said rules, the following rule shall be inserted as rule 2A, namely:—

"2A. Notice of opening, abandonment, discontinuance, re-opening and change in the ownership and addresses, etc.—(1) When a mine has been opened, the owner, agent or manager shall forthwith communicate the actual date of opening to the Regional Labour Commissioner in Form A.

(2) When it is intended to abandon a mine or seam or to discontinue working thereof for a period exceeding 60 days, the owner, agent or manager shall not less than 40 days before such abandonment or discontinuance, give to the Regional Labour Commissioner a notice stating the reasons for the proposed abandonment or discontinuance and the number of persons likely to be affected thereby:

Provided that when on account of unforeseen circumstances a mine is abandoned or discontinued before the said notice has been given or when without previous intention the discontinuance extends beyond a period of 60 days, the notice shall be given forthwith.

(3) When a mine or seam has been abandoned, or the working thereof has been discontinued over a period exceeding 60 days, the owner, agent or manager shall within seven days of the abandonment or the expiry of the said period, give to the Regional Labour Commissioner, notice in Form A.

(4) When it is intended to re-open a mine or seam after abandonment or after discontinuance for a period exceeding 60 days, the owner, agent or manager shall not less than 30 days before resumption of mining operations, give to the Regional Labour Commissioner notice in Form A.

(5) When a mine has been re-opened, the owner, agent or manager of the mine shall forthwith communicate the actual date of re-opening to the Regional Labour Commissioner.

(6) When a change occurs in the name or ownership of a mine or in the address of the owner, the owner, agent or manager shall, within seven days from the date of change, give to the Regional Labour Commissioner a notice in Form A:

Provided that where the owner of a mine is a firm or other association of individuals, a change—

(i) of any partner in the case of a firm;

(ii) of any member in the case of an association;

(iii) of any director in the case of public company; or

(iv) of any shareholder in the case of a private company;

shall also be intimated to the Regional Labour Commissioner, within seven days from the date of the change."

(4) In rule 22 of the said Rules, after the word "rule", the figure and letter "2A" shall be inserted.

(5) Before Form I of the said rules, the following form shall be inserted as Form A, namely:—

"Form A

(See Rule 2A)

Notice of opening, abandonment, discontinuance, re-opening and change in the ownership and address etc.

From

.....
.....

To

The Regional Labour Commissioner (Central),

Sir,

I have to furnish the following particulars in respect of * _____
at _____ (mine) of _____ (owner).

1. In case of change of name of mine:

Old name of mine _____ date of change _____

2. (a) Situation of the mine: Village Police Station
Sub-Division (Taluq) District State

(b) In the case of a new mine, particulars of situation of mine:

Post Office Telegraph Office Railway
Station Rest House (Give distances
therefrom) Means of travelling

3. (a) Name and Postal address of Present**/Previous

(i) Owner
(ii) Managing agent, if any
(iii) Agent, if any
(iv) Manager
(v) In case of change,
date of change

4. Date on which it is intended to open/reopen/abandon/discontinuet of the
mine

5. Actual date of opening/re-opening/abandonment/discontinuance† of the mine
.....

Yours faithfully,

Signature

Designation: Owner/Agent/Manager

Date

Instructions

*Mention the matter to which the notice refers.

**To be filled in only when the notice refers to a change, and only against the
item in respect of which notice is given.

†Delete whatever is not applicable".

[No. 546/163/61-Fac.]

VIDYA PRAKASH, Dy. Secy.

New Delhi, the 22nd February 1964

S.O. 795.—Whereas the Government of the State of Rajasthan has, in pursuance of the powers conferred by clause (d) of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), nominated Dr. D. N. Rai, Assistant Director of Medical and Health Services (E.S.I.), Rajasthan, as a member of the Medical Benefit Council representing that Government;

Now, therefore, in pursuance of the provisions of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 2501, dated the 30th July, 1962, namely:—

In the said notification, under the heading "Members" and the sub-heading "[Nominated by the State Governments concerned under clause (d) of sub-section (1) of section (10)]", in item (15), for the entries "Dr. S. C. Mehta, F.R.C.S., Director of Medical and Health Services, Rajasthan, Jaipur", the entries "Dr. D. N. Rai, Assistant Director of Medical and Health Services (E.S.I.), Rajasthan, Jaipur" shall be substituted.

[No. F. 1(100)/63-HL]

S.O. 796.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Labour Court, Jullundur, in respect of the applications filed by Sarvashri Mohan Singh and Hans Raj of the State Bank of Patiala, under section 33A of the said Act, which was received by the Central Government on the 19th February 1964.

BEFORE SHRI KARTAR SINGH CHADHA, PRESIDING OFFICER, CENTRAL LABOUR COURT, JULLUNDUR

Complaints Nos. 2 and 3 of 1963

U/s 33A of the Industrial Disputes Act, 1947

Sarvashri Mohan Singh and Hans Raj—*Complainants.*

Vs.

The State Bank of Patiala, H.O. Patiala (Punjab)—*Respondent.*

APPEARANCES:

Shri Tek Chand Sharma for the complainants.

Shri Joginder Singh for the respondent Bank.

AWARD

This award will dispose of two complaints, numbered 2 and 3 of 1963, filed under Section 33A of the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act'), by Sarvashri Mohan Singh, Junior Assistant and Hans Raj, Cashier respectively, against the State Bank of Patiala.

2. These complaints were originally filed with the National Industrial Tribunal (Bank Disputes), Bombay, on 30th March, 1962. They were thereafter, transferred to the Central Labour Court at Delhi by the Central Government, under section 33B(2) of the Act, by its Notification, dated 23rd December, 1962 and the order of the National Industrial Tribunal, dated 18th April, 1962. They were then transferred to this Court along with other cases, by the Central Government under Section 33B(2) of the Act by order, dated 23rd February, 1963. They were however, received in this Court on 19th April, 1963.

3. These complaints by the above stated workers, were filed in the Court of the National Industrial Tribunal, Bombay as Reference No. 1 of 1960 was at the time, pending in that Court, between the workmen and the management of the various Banks in India. The Reference to the Industrial Tribunal was made by the Government of India by Notification No. S.O. 705, dated 21st March, 1960 (see Ext. R/1). In the schedule attached to this notification, as many as 67 Banks, working in India, were mentioned. However, the respondent Bank was not in the schedule. The respondent Bank was also impleaded in the same reference by a subsequent Notification No. S.O. 1449, dated 4th June, 1960 (see Ext. R/1A), where it is mentioned at No. 14. By Notification No. S.O. 705, dated 21st March, 1960, as many as 22 items of dispute were referred to the National Industrial Tribunal, Bombay, for adjudication. It is necessary to deal them here for the

purposes of these complaints. I will refer to the item relied upon by the learned representative of the workmen, hereafter at the proper time. The award of the National Industrial Tribunal, Bombay in Reference No. 1 of 1960, was published in the Government of India Gazette Extraordinary, part II, dated 30th June, 1962. It therefore, became enforceable with effect from 30th July 1962.

4. The complainants, Sarvashri Mohan Singh and Hans Raj worked with, and still are the employees of the respondent Bank, during the pendency of Reference No. 1 of 1960 before the National Industrial Tribunal. The allegations in their complaints are, that the respondent Bank had contravened the provisions of Section 33 of the Act in as-much-as in promoting certain junior and senior Assistants to the cadre of Managers of their C class branches and in promoting Cashiers to the posts of Head Cashiers, they had ignored the seniority of the workers and had based the promotion on the basis of written tests held on 17th November 1960 and 2nd October 1961 and on the basis of selection after interview. Both the complainants further alleged that their service conditions were changed during the pendency of the above stated reference, before the National Industrial Tribunal, in making the above stated promotions in the cadre of junior and senior Assistants and that of the Cashiers because they were governed by the Pepsu Service Regulations proclaimed by the order dated 8th April 1941 of the Maharaja of Patiala. That under the Pepsu Service Regulations they also enjoyed the protection of Article 311 of the Constitution of India, that previously the promotions amongst the employees of the Bank were made according to seniority, but in the years 1960 and 1961, promotions were made on the basis of written tests which was contrary to the Pepsu Service Regulations, that the same amounted to penalty according to the above stated regulations. That the Bank of Patiala Staff Rules, 1954, under which the respondent Bank purported to act, were not binding on the complainants as the Pepsu Service Regulations had not been superseded or abrogated and as the Bank of Patiala Staff Rules were illegal, *ultra vires* and inoperative and because the complainants were never informed about them.

5. The complainants therefore prayed that the respondent Bank be directed to (1) make promotions on the basis of seniority and thus recognise the right of the petitioners, in the matters of promotions, (ii) that the promotions made on the basis of the written tests held on 17th November 1960 and 2nd October 1961 be set aside and (iii) costs be awarded. It was also alleged by the complainant Shri Mohan Singh that he was a protected workman within the meaning of Section 33(4) of the Act.

6. The respondent Bank, in its written statement admitted that Reference No. 1 of 1960 was pending before the National Industrial Tribunal when these complaints were filed, adding however that the matter relation to promotions was not included in the disputes referred to the National Industrial Tribunal. It was denied that the complainants were governed by the Pepsu Service Regulations or had the protection of Section 311 of the Constitution of India, it being pleaded that the complainants, as other employees of the respondent Bank, were governed by the Bank of Patiala Staff Rules, 1954, which came into force on 1st April 1954, when the Pepsu Service Regulations ceased to apply to the employees of the respondent Bank. It was also pleaded that the Bank of Patiala Staff Rules, 1954 had been framed by the Board of the respondent Bank in accordance with law and were neither by any law, illegal, *ultra vires* or inoperative, they being in fact binding on all the employees of the respondent Bank. That promotions made in the years 1960 and 1961 were in accord with the rule 32 of the Bank of Patiala Staff Rules, 1954, that Shri Mohan Singh, complainant was not a protected workman, and that promotions by written tests were introduced in the interest of the employees themselves and could not be validly assailed by the complainants and therefore, both the complaints merited dismissal with costs.

7. After taking down statements of the learned representatives of the parties, and according to their pleadings, the following issues were framed:—

- (1) Whether the management had been guilty of contravention of Section 33 of the Act (Act 14 of 1947)?
- (2) Whether Shri Mohan Singh, complainant, was a protected workman within the meaning of Section 33(3) of the Act?
- (3) If issues Nos. 1 and 2 be decided in favour of the workmen, whether these complaints under Section 33A are not competent?
- (4) Whether the complainants are not the aggrieved persons within the meaning of Section 33A of the Act?
- (5) Relief to which the complainants are entitled?

Issues Nos. (2) and (4)—

8. It would be advisable and proper to decide Issues Nos. 2 and 4 before the other issues.

It was alleged by the complainant, Shri Mohan Singh that he was a protected workman within the meaning of Section 33(3) of the Act. He was however, not produced any reliable evidence to prove that he was in fact a protected workman. In his statement as A.W. 2, he merely stated that he was President of the State Bank of Patiala Employees Union and was therefore, a protected workman from the year 1958, being an office bearer of the union. However, every office bearer of the Union is not a protected workman within the meaning of Section 33(3) of the Act. According to the rules framed under the Act, it is necessary for every registered trade union connected with an industrial establishment to which the Act applies, to communicate to the employer before 30th September every year the names and addresses of such officers of the union who are employed in that establishment and who, in the opinion of the union, should be recognised as "protected workmen". The union is further to communicate to the employer, any change in the incumbency of any such officer within 15 days of such change. The employer has then to indicate to the union, in writing within 15 days of the receipt of the names and addresses of such workmen, the list of workmen recognised as protected workmen. No evidence to prove any such communication, either from the union to the effect that Shri Mohan Singh was to be recognised as "protected workman", or by the respondent employer to the effect that he had been recognised as a "protected workman", has been produced in this case. Mere bald statement of the concerned worker himself, without documentary evidence which could be and has not been produced, is obviously insufficient. Shri Harminder Singh, examined by the respondent Bank, did not admit Shri Mohan Singh to be a protected workman.

Issue No. (2) is therefore, decided against the complainant.

9. It is then urged by the learned representative of the respondent Bank that truly speaking, the complainants, Sarvashri Mohan Singh and Hans Raj, were not "aggrieved employees" of the respondent concern within the meaning of Section 33A of the Act and, therefore, could not file these complaints, under the said Section. Now, Section 33A of the Act runs as follows:—

"33A. Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a Labour Court, Tribunal or National Tribunal, any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner, to such Labour Court, Tribunal or National Tribunal and on receipt of such complaint, that Labour Court, Tribunal or National Tribunal shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

10. It is clear from Section 33A, reproduced above, that only an "employee aggrieved" by the alleged contravention of Section 33 by the employer, can file a complaint under Section 33A of the Act. The learned representative of the respondent Bank argued that the complainants could not be said to be aggrieved employees of the respondent Bank within the meaning of Section 33A of the Act, as even if the promotions in 1960 and 1961 had been made strictly on the basis of seniority, and not on the basis of written tests, they could not have been promoted and therefore, they could not be aggrieved by the promotions, made in the said years. Both the complainants, Sarvashri Mohan Singh and Hans Raj have admitted as A.Ws. 2 and 3 that even if the promotions had been strictly according to seniority, they were not entitled to be promoted when the promotions were made in the years 1960 and 1961. They have not, therefore, been affected by the promotions made in these years. It is then difficult to say that the complainants can be said to be aggrieved employees within the meaning of Section 33A of the Act, when according to their own admissions, they could not be promoted. Their right for promotion was not therefore, affected. The learned representative of the complainants has, however, tried to argue that the complainants were still aggrieved employees, but he could not cite any authority in his favour. They may be the workers concerned in Reference No. 1 of 1960, then pending before the National Industrial Tribunal (Bank Disputes), Bombay, but they cannot to my mind, be called "aggrieved employees", within the meaning of Section 33A of the Act even if it be held, as alleged, that the respondent Bank had contravened the provisions of Section 33 of the Act, which itself, to my mind

does not appear to be correct. I therefore find Issues Nos. (2) and (4) against the complainants.

Issues Nos. (1) and (3)—

11. The question for determination is, whether the respondent Bank in this case, in making the promotions in 1960 and 1961 on the basis of written tests and interview, was guilty of contravention of Section 33 of the Act. It is necessary, before dealing with the matter, to reproduce sub-sections (1) and (2) of Section 33. They are as follows:—

“33. (1) During the pendency of any conciliation proceeding before a conciliation officer or a Board or of any proceeding before a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—

- (a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding; or
- (b) for any misconduct connected with the dispute, discharge or punish, whether by dismissal or otherwise any workmen concerned in such dispute,

save with the express permission in writing of the authority before which, the proceeding is pending.

(2) During the pendency of any such proceeding in respect of an industrial dispute, the employer may, in accordance with the standing orders applicable to a workman concerned in such dispute,—

- (a) alter, in regard to any matter not connected with the dispute, the conditions of service applicable to that workman immediately before the commencement of such proceeding; or
- (b) for any misconduct not connected with the dispute, discharge or punish, whether by dismissal or otherwise that workman:

Provided that no such workman shall be discharged or dismissed, unless he has been paid wages for one month and an application has been made by the employer to the authority before which the proceeding is pending, for approval of the action taken by the employer.”

12. As would appear from what has been re-produced above, during the pendency of conciliation proceedings or proceedings before a Labour Court or Tribunal or National Tribunal in respect of any industrial dispute an employer is debarred from altering the conditions of service applicable to its workmen, in regard to any matter connected with the dispute, pending before the conciliation officer, Labour Court or Tribunal, or to dismiss or discharge any workman concerned in such dispute, for any misconduct connected with the dispute, except with the express permission in writing of the authority before which the proceeding is pending. Thus, so far any matter connected with the dispute, pending before the Labour Court or Tribunal is concerned, sub-section (1) of Section 33 creates an absolute bar and debars the employer from changing the conditions of service of its workmen or from discharging or dismissing any workman, except with the permission in writing of the authority before which the proceeding is pending. Sub-section (2) of Section 33, however, applies to those cases in which the employer intends to take action against its workmen in matters not connected with the dispute pending before a conciliation officer, Labour Court or Tribunal. In such a case, the employer can change the service conditions of its workmen even during the pendency of the dispute but only in matters not connected with the pending dispute, and can also, for any misconduct not connected with the pending dispute, discharge or dismiss any workman, provided the workman proposed to be discharged or dismissed, is paid wages for one month and an application is made by the employer to the authority before which the proceeding is pending, for approval of the action taken by the employer.

It is not necessary to refer to the other sub-sections of Section 33 of the Act, because none of the complainants has been proved to be a protected workman.

13. Now the case of the complainants is, that the respondent Bank changed their conditions of service in as-much-as they made promotions in 1960 and 1961, on the basis of Bank of Patiala (Staff) Rules (see Ext. R/6), during the pendency of the proceedings before the National Industrial Tribunal (Bank Disputes), Bombay, for before that, according to them, they were governed by the Pepsu Service Regulations and the Bank of Patiala (Staff) Rules had never been applied to the employees of the respondent Bank. It was however, admitted by the learned representative of the complainants in his statement, dated 4th May 1963, that the Bank of Patiala (Staff) Rules were framed by the Board of Directors of the

respondent Bank and had been given effect from 1st April 1954. The applicants alleged that never the less, the rules did not apply to them because, they had not been published in the Government Gazette, not put on the notice Board, nor their individual option was taken as to their being subsequently governed by these rules. In the complaints, it was also alleged that rules were illegal, *ultra vires* and inoperative, though in the statements of the complainants and their representative it was not shown, how it was so.

14. Originally, the respondent Bank was known as "Patiala State Bank", and the Patiala State Regulations applied to its employees. On the formation of the Pepsu State, the Bank was renamed as "The Bank of Patiala", and the Pepsu Service Regulations were made applicable to its employees with the consequent benefit of Article 311 of the Constitution of India. The Bank of Patiala (Staff) Rules (see Ext. R/6) were made by the Board of Directors of the Bank by virtue of the powers conferred upon the Board by clause 4(iii) of "the Bank of Patiala Regulation and Management Order, 1954," (see Ext. R/7), promulgated by the President of India, on 27th February, 1954 in exercise of the powers invested in him by the proclamation dated 4th March, 1953, issued under Article 356 of the Constitution of India. A copy of the Bank of Patiala Regulation and management Order, 1954, promulgated by the President has been placed on the present record as Ext. R/7. The said order by the President, was made for the management, control, supervision and direction of the affairs and business of the Bank, and under clause 4(iii) of the order, the Board was authorised to appoint, remove, dismiss and lay down the general conditions of service of the employees of the Bank, other than the Managing Director, and frame rules in this behalf. It was in the exercise of this power that the Board of Directors of the respondent Bank framed the rules known as, "Bank of Patiala (Staff) Rules", Ext. R/6. The Bank of Patiala Regulation and management Order, 1954, made by the President, was duly published in the Government Gazette. So, due publicity was given to the same. The Board of Directors of the respondent Bank in a meeting held on 25th March, 1954, approved the Bank of Patiala (Staff) Rules, governing the conditions of service of the Bank employees, and further decided that the rules would come into force with effect from 1st April, 1954, replacing the Pepsu Service Regulations, so far as the employees of the Bank were concerned. The Board, accordingly, issued a circular No. 1733, dated 27th March, 1954 to all its branches (Ext. R/A), giving a summary of these rules and requiring the Manager of each branch to communicate the same to the employees of the Bank, working in his branch, and also to obtain the option of each of the employees as to whether he agreed to be governed by rule No. 23 or not. Shri Mohan Singh, complainant, was then, as now, employed at the Ahmedgarh branch of the respondent Bank. He got due intimation about the circular, Ext. R/A and his reply, as to whether he opted for rule 23 or not, was recorded in Ext. R/2, written and signed by him. The Head Office of the respondent Bank, thereafter issued another circular No. 1774, dated 28th May 1954 along with which, a copy of the Bank of Patiala (Staff) Rules was also sent under registered cover. The managers of the various branches were required to circulate the copy of the rules to all the employees, serving in their branches. Copy of this circular is Ext. R/3. Shri Mohan Singh, complainant again stated that he would not opt for Rule No. 23 *vide* Ext. R/4, written and signed by him. Shri Hans Raj, the other complainant also by his letter, dated 21st June 1954, Ext. R/5, intimated that he did not desire to be governed by Rule No. 23 and that he might be considered a Government servant, governed by the Pepsu Service Regulations, as before.

15. It is thus, quite clear that the two complainants in this case, were informed in the months of April and May, 1954 that the Bank of Patiala (Staff) Rules had been framed by the Board of Directors of the respondent Bank, under the powers conferred on the Board by the Bank of Patiala Regulation and management Order, 1954, promulgated by the President in February, 1954. It cannot then be said that the complainants were unaware of the Bank of Patiala (Staff) Rules having been applicable to the conditions of service of the Bank employees in 1954.

16. If then, the Bank of Patiala (Staff) Rules were framed and brought to the notice of the employees of the respondent Bank in 1954, in supersession of the earlier Pepsu Service Regulations, the complainants cannot be allowed to attack the rules now in these complaints and claim that inspite of the rules, they are still governed by the Pepsu Service Regulations. The Bank of Patiala (Staff) Rules are not illegal, *ultra vires* or inoperative so far as the employees of the respondent Bank are concerned, as alleged by the complainants in the complaints. They were held to be valid and binding on the employees of the respondent Bank by a Division Bench of the Punjab High Court, in the case of 'State of Punjab Vs. Shri Ram Parshad, reported as 'A.I.R. 1963 Punjab-345'. The facts of the case, briefly stated were, that the plaintiff Shri Ram Parshad (respondent in the appeal before the High Court), an employee of the respondent

Bank was compulsory retired under Rule 27 of the Bank of Patiala (Staff) Rules, 1954. His departmental appeals having been unsuccessful, he filed a suit for declaration in the Court of Sub Judge 1st Class, Patiala, alleging *inter alia* that before his retirement, he had not been given reasonable opportunity of showing cause against the action proposed to be taken against him and secured to him by Article 311 of the Constitution of India, that the plaintiff's conditions of service were governed by the Patiala State Regulations and not by the Bank of Patiala (Staff) Rules, 1954, which rules were illegal, *ultra vires* and null and void as the same had not been published in the Government Gazette and the plaintiff's option as to the application of the rules to him had not been taken. His suit was decreed by the Sub Judge. In the appeal filed by the Punjab State against the decree of the learned Sub Judge, the Division Bench of the High Court held that the Bank of Patiala (Staff) Rules were validly and legally made and were binding on the employees of the respondent Bank as they were made by the Board of Directors of the respondent Bank, under the authority given to them by the Bank of Patiala Regulation and management Order, 1954, promulgated by the President of India in February, 1954. The High Court, therefore, accepted the appeal and reversed the decree of the trial court and dismissed the suit of the plaintiff Shri Ram Parshad. The allegations of the plaintiff, Shri Ram Parshad in the suit qua the Bank of Patiala (Staff) Rules, were almost the same as those of the complainants in the instant complaints.

It cannot then be held that the Bank of Patiala (Staff) Rules 1954 were either illegal or improperly framed or were not binding on the employees of the respondent Bank or did not supersede the earlier Patiala State Regulations or Pepsu Service Regulations.

17. In order that there may be a contravention of Section 33 of the Act, it is necessary that the alleged change in the service conditions of the employees must be made during the pendency of the proceedings before a conciliation officer, Board, Labour Court, or Tribunal, in the instant case, during the pendency of the proceedings pending in the Court of the National Industrial Tribunal (Bank Disputes), Bombay, in Ref. No. 1 of 1960. The said reference as already indicated above, was made in 1960. We have seen above that the Bank of Patiala (Staff) Rules which are alleged by the complainants to have changed the conditions of their service, were framed by the Board of Directors of the respondent Bank and brought into force with effect from 1st April, 1954, so that the Bank of Patiala (Staff) Rules had been in force for about six years before the instant reference to the National Industrial Tribunal (Ref. No. 1 of 1960) was made. It cannot then be urged that the alleged change in the conditions of service of the employees of the respondent Bank was made during the pendency of the proceedings before the National Industrial Tribunal. If that be the case, there was no contravention of Section 33 of the Act by the respondent Bank in this case, by their framing the Bank of Patiala (Staff) Rules in 1954 or by their making promotions in 1960 and 1961 in accord with these rules.

18. Some other employees of the respondent Bank Sarvshri Dev Raj Sharma and others filed similar seven complaints, numbered 81, 82, 84, 100, 99, 98 and 97 of 1961, before the Labour Court, Delhi, then presided over by E. Krishna Murti. The same were dismissed by the order of the Court dated 12th January, 1962 (see Ext. R/8). The learned Presiding Officer of the Central Labour Court, Delhi also held *inter alia* that in introducing the Bank of Patiala (Staff) Rules in 1954 or in making promotions in accord therewith in 1960 and 1961, the respondent Bank did not contravene the provisions of Section 33 of the Act.

19. I therefore, hold that the alleged contravention by the respondent Bank of the provisions of Section 33 of the Act has not been established and therefore, these complaints were incompetent. I do not know why the concerned union is again and again attacking the action of the respondent Bank on those very grounds which had been adjudicated by the Central Labour Court, Delhi by its order dated 12th January, 1962, Ext. R/8, without taking the case to the higher authorities. If the union was aggrieved by the order, they should have taken the same to the High Court or to the Hon'ble Supreme Court for final adjudication. Otherwise it was no use to carry on unnecessary litigation.

20. Even on merits, the complainants have no case. They have not been able to point out any rule in the Pepsu Service Regulations to the effect that promotions were to be made strictly in accord with seniority, that is, a senior employee was to be promoted irrespective of his low efficiency or tainted reputation. Even a simple rule to the effect that promotions were to be made on the basis of seniority, has not been shown to me. On the other hand, it is generally accepted principle that promotions are in the discretion of the management. Of course, if any of the workers has been victimized or he has been superseded on account

of any personal enmity of the management with him, he can have his case referred to the Court for adjudication but he cannot urge that the management had no authority to make directions or to prescribe any tests for making promotions. Rule No. 32 of the Bank of Patiala (Staff) Rules (see Ext. R/6) is as follows:—

"32. All appointments and promotions shall be made at the discretion of the Bank, and notwithstanding his seniority in grade, no employee shall have a right to be appointed or promoted to any particular post or grade."

Although the complainants alleged that the promotions made in 1960 and 1961 were *malafide* of that they had been victimized, not an iota of evidence was led to prove these allegations.

21. In view of the above stated findings, these complaints u/s 33A of the Act fail and hereby dismissed.

The 29th December, 1963.

(Sd.) KARTAR SINGH CHADHA,
Presiding Officer,
Central Labour Court, Jullundur
[No. 55/12/64-LRIV.]

New Delhi, the 2nd March 1964

S.O. 797.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Labour Court, Jullundur, in respect of the application filed by Shri S. P. Handa of the United Commercial Bank Limited, Nakodar, under section 33A of the said Act, which was received by the Central Government on the 27th February, 1964.

BEFORE SHRI KARTAR SINGH CHADHA, PRESIDING OFFICER,
CENTRAL LABOUR COURT, JULLUNDUR

COMPLAINT NO. 4 OF 1963 UNDER SECTION 33A OF THE INDUSTRIAL DISPUTES ACT,
1947.

Shri S. P. Handa, C/o Shri Tek Chand Sharma, President, Punjab Bank
Employees Federation, Nakodar—Complainant.

Vs.

The United Commercial Bank Ltd., Nakodar—Respondent.

APPEARANCES:

Shri Tek Chand Sharma for the complainant.

Shri K. M. Bagga for the respondent Bank.

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act'), by Shri S. P. Handa, an ex-employee of the United Commercial Bank Ltd., Nakodar, against the latter, with the allegations that the respondent Bank had terminated the services of the complainant on 31st May 1962 while Reference No. 1 of 1960 was pending before the National Industrial Tribunal (Bank Disputes), Bombay. He alleges that in terminating his services on 31st May 1962, the respondent Bank contravened the provisions of Section 33 of the Act, inasmuch as, he was not given any notice or notice pay for one month, nor the respondent Bank applied to the National Tribunal either for its permission or approval of the action contemplated or taken against the complainant. He further alleges that the respondent Bank had penalised him on account of being prejudiced against him. He prays that he be reinstated with back wages. The instant complaint was filed in this Court on 4th October 1963.

2. The respondent Bank, in its written statement, pleads that the instant complaint could not be filed in this Court and the Court have no jurisdiction to entertain and decide it. It is denied that the respondent Bank was guilty of any contravention of the provisions of Section 33A of the Act and it was also wrong to allege that the respondent Bank terminated the services of the

complainant on 31st May 1962, as his services had actually come to an end by mere efflux of time, having been engaged for a specified period only. The other allegations in the complaint are also denied.

3. The pleadings of the parties, thus gave rise to the following issues for determination:—

- (1) Whether the instant complainant, under Section 33A of the Act does not lie to this Court?
- (2) Whether the complainant, Shri S. P. Handa was employed by the respondent Bank for a temporary period and his services automatically came to an end on 31st May 1962?
- (3) Whether there was any contravention of Section 33 of the Act by the respondent Bank?
- (4) If so, to what relief is the complainant entitled?

4. I have today heard the learned representatives of the parties on Issue No. (1), as stated above. The contention of the learned representative of the respondent Bank is that a complaint under Section 33A of the Act should have been filed with the National Industrial Tribunal in which, Reference No. 1 of 1960 was pending and not in this Court, more so when the reference had been decided before the filing of the instant complaint. The contention of the learned representative of the complainant is, that the instant complaint could be filed in this Court on 4th October 1963 (as it was actually filed), because on that day the National Industrial Tribunal (Bank Disputes) was not functioning and secondly, because another complaint filed by the complainant with similar allegations, had been transferred by an order of the Central Government Order made under Section 33B of the Act.

5. The following facts are not disputed by either side: The Central Government referred for adjudication, several items of dispute between the Banks and their employees, to the National Industrial Tribunal with headquarters at Bombay. The reference was registered with the Tribunal as No. 1 of 1960. It was a general reference regarding service conditions and pay scales of the workers of the various Banks working in India. Indeed, the respondent Bank was also one of the respondents in the said reference. The National Industrial Tribunal, Bombay, disposed of the reference by an award, dated 7th June 1962, published in the Government of India Gazette, dated 30th June 1962. The complainant's services came to an end with the respondent Bank on 31st May 1962, that is, before the reference No. 1 was decided by the National Industrial Tribunal. According to the complainant, his services were terminated without any reason or charge sheet, he being in fact victimized, while according to the management, they came to an automatic end by efflux of time as the complainant had been engaged as a temporary worker, only for a specified period.

6. The complainant, Shri S. P. Handa had filed an earlier complaint, under Section 33A of the Act on 28th June, 1962 with the National Industrial Tribunal, Bombay. As would appear from the facts above stated, it was two days before the award of the National Industrial Tribunal appeared in the Government of India Gazette dated 30th June 1962. The said complaint was then transferred to the Central Labour Court, at Delhi, by an order of the Central Government, made under section 33B of the Act. By another order of the Central Government made under the same section, the said complaint was transferred to this Court in 1963 and was registered in this Court as Complaint No. 1 of 1963. A preliminary objection was taken against the said complaint that it had not been properly framed and the respondent in the complaint had not been properly designated. This objection was sustained and the said complaint was rejected by my award, published in the Government of India Gazette, Extra Ordinary, Part II, dated 27th July 1963.

7. The question for determination, then is, whether after the rejection of complaint No. 1 of 1963 by my above stated award, the complainant could file the instant complaint again in this Court. After hearing the learned representatives of the parties, I have reached the conclusion that the instant complaint could not be filed in this Court.

Section 33A of the Act, runs as follows:—

"33A. Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a Labour Court, Tribunal or National Tribunal, any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such Labour

Court, Tribunal or National Tribunal and on receipt of such complaint, that Labour Court, Tribunal or National Tribunal, shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

section 33A of the Act therefore, entitles an employee to file a complaint when his or her employer had contravened the provisions of section 33 of the Act. This is perhaps the only case in which a worker or an employee can come directly to the Court or the Tribunal without any reference being made by the Government but it is very necessary that the conditions precedent must be satisfied. They are:-

- (1) There should have been contravention by the management concerned of the provisions of section 33 of the Act.
- (2) The contravention should have been during the pendency of the proceedings before the Labour Court, Tribunal or National Tribunal, as the case may be.
- (3) The complaint should be aggrieved by the contravention.
- (4) The application should be made to the Labour Court, Tribunal or National Tribunal in which the original proceedings are pending.

8. It is then provided by this section that the Labour Court, Tribunal or National Tribunal will adjudicate upon the dispute as if the same had been referred to it for adjudication that is, like a reference made to it by the appropriate Government subject to the other provisions of the Act. It is thus, quite clear from the wording of section 33A of the Act that a complaint under this section has to be made to the Court/Labour Court/National Tribunal, in which the proceedings are pending, on account of which it is alleged that there has been contravention by the management of the provisions of section 33 of the Act. In fact, in the present case as well, the earlier complaint filed by the complainant was filed with the National Industrial Tribunal (Bank Disputes), Bombay where reference No. 1 of 1960 was pending. However, as soon thereafter, the Tribunal ceased to function, the earlier complaint was transferred first to the Labour Court, Delhi and then to this Court. That complaint has already been disposed of as stated above. A fresh complaint, under section 33A to my mind, could not be filed in this Court. The use of the words "such" and "that court" etc. clearly indicate that a complaint like this, has to be filed in the Labour Court/Tribunal or National Tribunal in which the other proceedings are pending. No proceedings on account of which it is alleged that the respondent Bank contravened the provisions of section 33 were however, pending in this Court. Besides, long before filing the instant complaint in this Court, the proceedings once pending in the National Industrial Tribunal, Bombay, in reference No. 1 of 1960 had come to an end. In the Act there is no provision for filing of such a complaint after the original proceedings have ended. Nor there is a provision indicating, in which court or Tribunal such a complaint is to be filed when the Court or Tribunal in which the original proceedings were pending, had ceased to function. In fact, to my mind, it does not contemplate the filing of such a complaint after the original proceedings had come to an end. This Court was properly seized of the earlier complaint (No. 1 of 1963) as it had been validly filed in the Court of the National Industrial Tribunal, Bombay and had been thereafter validly transferred according to law, to this Court. I have no doubt that a fresh complaint under section 33A after the original proceedings had ended long ago, could not be filed and that too in this Court. I therefore, conclude that this complaint could not be filed in this Court and the Court has no jurisdiction according to law to deal with the same on merits.

9. I find issue No. (1) against the complainant and dismiss the complaint on the grounds above stated.

The 2nd January 1964

(Sd.) KARTAR SINGH CHADHA,
Presiding Officer.
Central Labour Court, Jullundur.
[No. 55(12)/64-LRIV.]

S.O. 798.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the following award of the Industrial Tribunal, Calcutta in the industrial dispute between the employees in relation to the Eastern Bank Limited and their workmen which was received by the Central Government on the 26th February, 1964.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA
REFERENCE Nos. 3 of 1963 AND 7 of 1963

PARTIES:

Employers in relation to the Eastern Bank Limited, Calcutta, and their workmen.

PRESENT:

Shri L. P. Dave—*Presiding Officer.*

APPEARANCES:

On behalf of employers—Mr. A. A. Norrie, Manager.

On behalf of workmen—Shri P. Kar.

STATE: West Bengal.

INDUSTRY: Banking.

AWARD

The Government of India, Ministry of Labour and Employment, by their order No. 51(22)/63-LRIV dated 4th May 1963, referred the industrial dispute existing between the employers in relation to the Eastern Bank Limited, Calcutta, and their workmen in respect of the matter specified below for adjudication to this Tribunal. The matter referred to for adjudication by this order is as under:—

"Whether having regard to the provisions of paragraph 529 of the award of the All India Industrial Tribunal (Bank Disputes) as modified by the decision of the Labour Appellate Tribunal in the manner referred to in section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955 (41 of 1955), the promotion of Sarvashri B. Burman, T. N. Guha Roy and H. K. Moitra as Audit clerks subsequently re-designated as Staff Assistants—Grade II and the promotion of Shri S. P. Bose as Junior Officer superseding the claims of the persons mentioned below was justified and, if not, to what relief are the superseded persons entitled?

- (1) Shri Manasesh Kumar Chakravorty.
- (2) Shri Sanat Kumar Mukherjee.
- (3) Shri Kanan Lal Saha.
- (4) Shri Gopi Ballav Bhadury.
- (5) Shri Santosh Kumar Banerjee.
- (6) Shri Mohan Lal Bhattacharjee.
- (7) Shri Prasant Kumar Ghose.
- (8) Shri Lalit Kishore Dave No. 1.
- (9) Shri Benoy Bhushan Bhowmik.
- (10) Shri Jyotirmoy Deb.
- (11) Shri Sasanka Sekhar Chatterjee.
- (12) Shri Bhabesh Chandra Sett.
- (13) Shri Bharat Chandra Bose.
- (14) Shri Subas Mittra.
- (15) Shri Bisveswar Dutt.
- (16) Shri Monoranjan Bose.
- (17) Shri Ajit Kumar Chatterjee.

2. By another order of even number dated 27th June 1963, the Government referred another dispute existing between the same parties for adjudication to this Tribunal and that matter is as under:—

"Whether having regard to the provisions of paragraph 529 of the award of the All India Industrial Tribunal (Bank Disputes) as modified by the decision of the Labour Appellate Tribunal in the manner referred to in section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955 (41 of 1955), the promotion of Sarvashri B. Burman, T. N. Guha Roy and H. K. Moitra as Audit clerks subsequently re-designated as Staff Assistants—Grade II and the promotion of Shri S. P. Bose as Junior Officer superseding the claims of the persons mentioned below was justified and, if not, to what relief are the superseded persons entitled?

- (1) Shri Sushi Krishan Ghosh.
- (2) Shri Gourdas Mullick.
- (3) Shri Nanaklal Bose.
- (4) Shri Shyam Lall Mullick.
- (5) Shri Saradindu Chatterji.

- (6) Shri Ajit Kumar Ghose.
- (7) Shri Sailendra N. Bhadury.
- (8) Shri Anil Kumar Sen.
- (9) Shri Biswanath Sen."

3. The above matters were registered as Reference No. 3 of 1963 and No. 7 of 1963 before this Tribunal. The dispute in both cases is common and has arisen out of the same matter. Actually, it is only one dispute, but there are two orders of reference, as in the first order, certain names were not mentioned. The two references have therefore been heard together and I propose to pass a common award in both the cases.

4. The dispute in both matters relates to the promotion of three clerks as audit clerks and the promotion of one other clerk as Junior Officer. The contention of the workmen is that by the promotion of these four persons several other clerks have been superseded and that the said supersession was not justified and was against the provisions of paragraph 529 of the award of the All India Industrial Disputes (Banks Disputes) Tribunal—commonly known as Sastry award.

5. The facts which are relevant for the purpose of the present dispute are that the Eastern Bank hereafter referred to as merely the 'Bank' promoted three clerks named Sarvashri B. Burman, T. N. Guha Roy and H. K. Moitra as audit clerks in 1960. There were several clerks senior to these persons and so the workmen represented by their Union approached the Regional Labour Commissioner on 24th May 1960 raising an industrial dispute to the effect that the promotion of these three persons by which several people were superseded was in contravention of the provisions of the Sastry Award. Conciliation proceedings were held by the Conciliation Officer when the matter was settled on 31st May 1960 by the management agreeing to revise their order of promotion in accordance with the criteria if any that may be laid down by the National Tribunal which had been appointed by the Government of India in 1960 and which Tribunal was then holding its sittings and the Union agreeing not to pursue the matter pending publication of the award of this National Tribunal. This Tribunal (presided over by Shri Justice Desai) gave its award on 7th June 1962 which was published by the Government on 30th June 1962. Thereupon the Union asked the Bank to reopen the question of promotion of the three persons referred to above by writing a letter on 7th November 1962 to which the Bank replied on 10th November 1962 to the effect that as the National Tribunal (Desai Tribunal) had not altered the criteria laid down in the Sastry award. The Bank was not prepared to revise the promotion of the three persons. Thereupon the Union approached the Regional Labour Commissioner on 28th December 1962 who started conciliation proceedings. It appears that in the meanwhile the Bank promoted one Shri S. P. Bose on 8th January 1963 as a Junior Officer. The union contended that this promotion was also not justified as it has the effect of superseding several other clerks and as it was effected during the pendency of conciliation proceedings. The conciliation Officer held conciliation proceedings which however failed and thereupon the Central Government made the first reference to this Tribunal. It appears that in all there are 29 clerks senior to S. P. Bose's including the three persons who had been promoted in 1960. So far as S. P. Bose's promotion is concerned, the union's contention is that it has the effect of superseding 26 persons 26 persons as out of 29 persons senior to him, those had already been promoted before him and they were therefore not superseded by his promotion. The promotion of the other three clerks namely B. Burman, T. N. Guha Roy and H. K. Moitra is said to have the effect of superseding of two, fifteen and sixteen clerks respectively. When the first order of reference was made, it referred to the supersession of 17 clerks out of the clerks who were senior to Shri S. P. Bose. It thus left out nine persons. Hence, later on, the Government passed the second order, in which the question referred to relates to the alleged supersession of the remaining nine clerks.

6. In reply to notices issued by this Tribunal, the Bank as well as the Union filed their respective written statements. The main contention of the Union is that the Bank should consider the case of each clerk on its merits and promote the senior man if he is fit and suitable. On the other hand, the Bank's contention is that in making a promotion it is entitled to promote the person whom it considers to be fittest out of the clerks then in service. The Bank has also contended that it has considered the cases of all clerks and promoted the fittest of them.

7. In its written statement, the Bank has raised several technical contentions. At the time of arguments, however, none of these contentions was pressed and Mr. Horrie, the Manager of the Bank, confined himself only to the consideration of the case on merits. I may however briefly refer to these contentions. It

was contended in the written statement that the dispute in the present case was not an industrial dispute. It was further contended that the agreement between the parties entered into on 31st May, 1960 was to the effect that the management would revise their order of promotion in accordance with the criteria, if any, that may be laid by the National Tribunal (meaning thereby the Desai Tribunal) and as the said award has not laid down any criterion for promotion, the Union could not raise any industrial dispute. It was lastly contended that the promotion to the Supervisory and Officer's cadre is purely a managerial function and in the absence of any malicious or unfair labour practice, no industrial dispute could be raised. I do not think that any of these contentions has any force.

8. Promotion of clerks is one of the conditions of their service and it is connected with his employment. Rules regarding promotion are matters which have got to be covered by Standing Orders; according to the first item in the second schedule of the Industrial Disputes Act, the propriety or legality of an order passed by an employer could be a subject matter of an industrial dispute. I have therefore no doubt that a dispute about promotion could be an industrial dispute.

9. Coming to the next point raised in the written statement, it may be noted that when the first promotion was made, the National Tribunal presided over by Mr. Justice Desai was holding its sittings. The Sastry award had laid down certain rules and principles regarding promotion. The parties however probably felt that the criteria laid down by the Sastry Award may be modified by the award of the National Tribunal and that is why they decided to await the decision of the Tribunal. It was therefore agreed between them that the Bank would revise its orders of promotion in accordance with the criteria if any laid down by the National Tribunal. As it turns out, however, the Desai award did not lay down any criteria for promotion. The Bank itself in its letter of 10th November, 1962 has stated that the Desai Tribunal had not altered the criteria laid down by the Sastry award. That would mean that the criteria laid down by the Sastry award would govern promotions and the case will have to be considered on that basis.

10. It does appear that different unions had given notice of termination of the Sastry award; that would not however mean that provisions thereof ceased to have any force. Even when an award is terminated by giving a notice, the contract of employment continues and the employer and the employee remains master and servant. The rights which had been granted in an award will still continue to be effective and would not cease to be effective from the date on which notice of termination of the award becomes effective. See the cases of Burn & Co. Limited, 1957—I L.L.J. 226 and Mangaldas Narandas—1957—II L.L.J. 256. See also the case of South Indian Bank vs. Chaeko, 1964 I L.L.J. 19.

11. The third contention that promotion is purely a managerial function and no dispute could be raised thereon unless it was found that the promotion was made on malicious considerations or unfair labour practice cannot also be accepted. It is ordinarily true that promotion is the right of the employers; in making promotions, however, the employers have got to follow certain well recognised principles. In case of Banks, they must follow the principles laid down in the Sastry award. If a Bank follows these principles in making a promotion, the Tribunal would not be entitled to interfere in its discretion. On the other hand, if a promotion is made in contravention of the principles laid down by the Sastry award, the Tribunal would have to interfere irrespective of the considerations of unfair labour practice or malafides. By their very nature, the management have a discretion in the matter of promotion; but the rules regarding promotion have been made to see that the employers exercise that discretion properly and also to prevent favouritism, nepotism, victimisation and the like. If in making a particular promotion, the rules laid down by the Sastry award are found to have been infringed and if a person has been improperly superseded, the Tribunal would have to interfere because it would mean that the promotion and supersession are both improper.

12. Coming to the merits of the case, the bank's contention is that it has every right to promote a person whom it considers to be the fittest. On the other hand, the union's contention is that ordinarily a senior man should be promoted unless he is found to be unfit. Rules regarding promotions have been

dealt with in paragraphs 527 to 532 (Chapter XXVII) of the Sastry award. We are mainly considered in this case with para 529 which reads as under:-

We do not think that any hard and fast rules can be laid down in connection with promotions. We are definitely opposed to the suggestion that employees unions should be consulted in connection with promotions. It cannot be supported on principle. We do not think that such consultation is likely to be helpful either. While there is no doubt that seniority in service should be one of the most important factors to be taken into account for the purpose, we are unable to agree that mere length of service alone irrespective of efficiency, educational qualifications character and nature or responsibility required in connection with the vacancies to be filled in should be the sole or even the main criterion for promotion. Promotion is certainly not a matter which could be made automatic and a great deal of discretion by its very nature must rest with the management in this connection. It is not only difficult but very undesirable to lay down any one single principle for the exercise of this discretion. In our opinion there must be cases of employees in the banking industry as elsewhere in which efficiency of some employees does not necessarily improve with mere length of service. Nor do all employees in all cases show capacity for work involving higher responsibilities. The apprehension of the employees underlying the demand for length of service to be the sole governing factor for promotion may be due to apprehensions of nepotism and victimisation of employees who take active interest in the trade union movement. No substantial proof in support of this apprehension has been laid before us, and such cases, if any, can only be dealt with in other ways or as provided by law. We however direct that even when direct recruitment to particular posts is decided on, deserving men already in service who come up to the required educational qualifications should also be enabled to compete for the recruitment by a reasonable relaxation of the rules relating to age and other restrictions, if any. We further direct that in the case of employees who are not found fit for promotion the decision should be borne out by service records of the employee and that when a person senior in service is superseded it should be for good and cogent reasons. We recommend that such an employee should have the right to appeal to the General Manager or the Managing Director who should consider the appeal with open mind and revise the decision if necessary and that such appeals should not be treated as an act of indiscipline on the part of the employee by the officers under whom he may be working.

13. If we carefully scrutinise the above para, it would clearly mean that seniority in service would not be the sole criterion for promotion, but it would be one of the most important factors to be taken into account. Other factors which will have to be taken into account would be efficiency, educational qualifications, character and nature of responsibility required in connection with the vacancy to be filled. The Sastry award has also said that in case of employees who are not found fit for promotion, the decision should be borne out by service records of the employee and that when a person senior in service is superseded it should be for good and cogent reasons.

14. I think that the effect of the above para is that when a promotion is to be made, the Bank should take up the case of each clerk according to seniority and consider whether a particular person is fit for promotion. In doing so, it must take into account the efficiency, educational qualification, character and nature of responsibility and also look into his service record. If after consideration of these factors, a person is not found fit for promotion, he may be superseded and then the case of the next senior man must be similarly considered. In other words, seniority is one of the most important factors. A person who is senior should not be superseded except for good and cogent reasons and only when he is not found fit for promotion. The management has not the right to promote a junior man only on the ground that they considered him to be the fittest for the purpose. This would lead to allegations of nepotism and victimisation and the rules laid down by the Sastry award want to avoid nepotism and victimisation and at the same time want that only fit persons should be promoted and a person who is not fit cannot claim promotion only on the ground of seniority. In my opinion, the approach of the bank in the present case that they can appoint a person whom they considered to be the fittest is not correct.

If such a right were to be accepted, it might, as I said above, lead to nepotism and the like. At the same time, I might repeat that seniority itself is not enough for promotion and a person's efficiency, qualifications, character etc. must be taken into account in considering whether he is fit for promotion. As I stated above, the proper course for the management in my opinion would be to consider the case of each clerk one by one beginning from the senior most clerk and decide whether the senior most clerk is fit for promotion or not and if he is found fit he cannot be superseded only on the ground that someone else is considered to be fitter by the management. Of course, if a person is found not fit, the management can supersede him and then proceed to consider the case of the next man on the seniority list. Supersession of a clerk who is considered fit by the management on the ground that a junior man is considered by them to be more fit cannot be sent to be for good or cogent reasons.

15. The Bank contends that even on the principles laid down by the Sastry Award their order promoting the four persons who are the subject matter of this reference is proper. As I mentioned above, three clerks namely Sarvashri Burman, Guha Ray and Moitra were promoted in 1960 and the fourth Shri S. P. Bose was promoted in January 1963. A list showing the names of all thirty clerks including the four clerks who have been promoted and the 29 who are said to have been superseded has been prepared senioritywise and produced before me. This list also shows the ages of the different clerks, the dates when they joined service, their educational qualifications and the departments where they had service, their educational qualifications and the departments where they had worked. According to that list, the four clerks who have been promoted, namely, Burman, Guha Ray, Moltra and Bose, are shown at serial Nos. 3, 17, 19 and 30. That would mean that so far as Burman is concerned his promotion had the effect of superseding two persons only; but so far as Guha Roy and Moitra were concerned, their promotion had the effect of superseding fifteen persons, while so far as Bose is concerned, he was the last in the list of thirty persons and if we do not take the three other promoted persons in account, his promotion amounted to the supersession of twenty six persons.

16. Copies of service records of all the thirty clerks have been produced before me. They are not the originals, as admitted by the management; but they had been prepared from originals by expunging adverse remarks because the said remarks had not been communicated to them. Mr. Norrie, the Manager of the Bank, stated that they had considered the case of these clerks on the basis of the service records which are now produced before the Tribunal and wanted the Tribunal to go into those records for deciding whether the promotions of the four clerks was not justified and in considering whether the supersession of others was justified.

17. Before taking the cases of the different clerks, I may mention that I do not agree with the Bank's contention that they have in any case followed the principles of promotion laid down by the Sastry award in promoting the above four persons. Apart from the cases of the other clerks I may refer to the cases of clerks at serial Nos. 7, 10, 12, 16 and 18. On going through the confidential records of these persons, I have found that they are shown to be far above the average. Some of them has been described as doing excellent work and in some cases even double promotions have been recommended. By no stretch of imagination could it be said that these persons were not fit for promotion. Mr. Norrie also conceded that it was not the Bank's case that these people were not fit for promotion, but the Bank's case was that persons promoted by them and specially S. P. Bose were persons of outstanding merit and therefore the Bank left that they should be promoted forthwith. This is not in accordance with the principles laid down by the Sastry award because the promotions would mean that some of the persons who are fit to be promoted were superseded without any good or cogent reasons.

18. I might repeat that according to the principles laid down in para. 529 of the Sastry award, seniority in service should be one of the most important facts to be taken into account and that along with this, questions like efficiency, educational qualifications, character etc. should also be looked into. The further direction is that if a person is not found to be fit for promotion, the decision should be borne out by service record of that person and lastly that if a person senior in service is superseded it should be for good and cogent reasons. In other words, if a person who is senior in service and is efficient and has necessary qualifications, character etc., that is, if he is fit, he should be promoted and not superseded only on the ground that a person junior to him is said to be more fit.

19. In this connection, I am aware of the fact that S. P. Bose is a graduate and has also passed part I of the Associate Indian Institute of Bankers examination. It may however be noted that educational qualifications do not appear to have carried much weight with the Bank. Out of the persons promoted by them, No. 3 is a Non-matriculate and No. 17 is only a Matriculate. On the other hand, Numbers 23, 26 and 28 are Graduates while numbers 7, 20 and 25 have passed the Intermediate examination. In other words, the Bank does not appear to feel that educational qualification is a factor because of which a junior man could supersede a senior man. The Bank appears to have been guided by efficiency, character and fitness and that is why they must have promoted No. 3 who was a non-matriculate.

20. As I mentioned above, seniority by itself is not sufficient for promotion. Other things have got to be considered. I would also agree that a person of average ability may not be considered to be fit for promotion because the higher post may require above average abilities. But as I mentioned above, some of the persons who have been superseded have above average ability and are reported to have been doing excellent work and have even been granted double increments and there has been no adverse remark against them. Still they are superseded by a person only on the ground that the management consider him to be fittest person.

21. If the contention of the management were to be accepted, there would be nothing to judge whether their action in a particular case was bona fide or it was governed by other considerations like favouritism, nepotism or victimisation. In my opinion, it is with a view to avoid this that seniority should be respected; and when a person is fit for a particular post, he should not be superseded on the alleged ground that someone else is more fit.

22. I am very doubtful whether the management have examined the cases of the different persons one by one. What I feel is that they have promoted four persons whom they thought to be fittest without examining the records of the different persons. If they had done so, I think that they would very likely not have superseded some of them whose records, as I said above, are very good.

23. I have referred to some of the clerks above only to show that their records are very good. That again would not necessarily mean that they should be promoted superseding people senior to them. The proper course, I might repeat, would be to consider the cases of the clerks one by one starting from the senior most man and consider whether they are fit for promotion or not.

24. Before I proceed to consider the case of each clerk I would make a few general observations. Firstly, it is that mere seniority is not enough for promotion though it is one of the most important factors. Other things to be considered are efficiency, educational qualifications, character, fitness for the post etc. In the present case, I am not laying much stress on educational qualifications because, as I mentioned above, the bank itself has already thought it fit to promote a non-matriculate. Efficiency, fitness and character will however to be considered in each case. I may also mention that the posts to which the persons are to be promoted are audit clerks and junior officer. A person may be fit as a clerk but he would not necessarily be fit for promotion to these posts, which are of higher responsibility. A person who has average ability as a clerk cannot be considered fit for promotion to these posts. I have also to consider another point and it is that there are in all only four posts for promotion and if four people are found fit for promotion the cases of people junior to them need not be considered. I am mentioning this at the outset because in my opinion it is not necessary for me to consider the cases of persons below serial No. 17.

25. I now proceed to consider the cases of the different clerks. Taking the case of the senior most two clerks, Nanak Lal Bose and Sushil Mr. Ghose, I may mention at the outset that Shri Kar on behalf of the Union did not very seriously press their claims; because, as he said, these people were due to retire in three or four years' time and hence the Bank may be justified in not promoting them. He conceded that the Bank would naturally prefer to promote people to higher posts where they can serve for quite some time. Shri Kar however did say that if the case of these persons had been considered in 1960 when the first promotions were made, the question of age may not have arisen in their case. This may be so. We have now to take the case as it stands today. To ask the Bank to promote persons to these special posts when they have about 4 years to retire may not be quite proper. Further, even on merits, I think after going through their records that these two persons can be said to be not fit for promotion as the records show that they are of only average ability.

26. The next senior person is B. B. Burman (Serial 3) who has already been promoted by the Bank and though he is a non-matriculate, his record justifies his promotion.

27. The records of clerks serial Nos. 4 and 6 show that they are of average ability. The record of clerk No. 5 shows that his work in the earlier part was good. But it deteriorated and was later reported to be only fair and during the last two reporting periods there are actually adverse remarks against him. In the circumstances, I think the Bank would be justified in not promoting them.

28. I now come to the case of clerk serial No. 7 Sanat Kr. Mukherjee. His educational qualifications are that he is an Intermediate. I find that his record has not been bad in the earlier part but because of the adverse remarks made against him during the last reporting period, I think that the Bank would be justified in not promoting him more specially when he appears to have been working most of the time as a machinist and may not have sufficient experience of other departments.

29. Clerk Serial No. 8, as I am told, has since resigned from service. Actually, the remarks made in his report during the last two reporting periods would clearly show his unfitness for promotion.

30. Clerks Serial Nos. 9 and 11—records show that they are of average ability and in the circumstances they may be considered not fit for promotion.

31. Clerk Serial No. 20, is no doubt a non-matriculate, but he has consistently a very good record. The record also shows that on two occasions he was given double increments. He has been described as an excellent person and his work has also been described to be most satisfactory. He is also described as willing and conscientious clerk. He has also been working as a head clerk since at least 1960. I see no good or cogent reason to supersede him.

32. Clerk Serial No. 12, is a matriculate and has been working continuously as head clerk from 1958 or so, though it does appear that he was also working as head clerk occasionally before this. He has been given an extra increment in 1960. His work is described as most satisfactory, hard working, conscientious and reliable. He has also once been recommended as a possible further audit clerk. I see no good or cogent reason to supersede him.

33. Clerks Serial Nos. 13, 14 and 15: Their records show that they are of average ability. There are also some adverse remarks against No. 14. On the whole, I think that the Bank would be justified in not promoting them.

34. Clerk serial No. 16: One of the reports about this clerk shows that he is handicapped by lack of knowledge of English and I think that this would come in the way of good work in the promoted post. I also find that there had been some adverse remarks against him on more occasions than one. It is true that during the last three reporting periods, he has been described as efficient and intelligent, but in view of the lack of knowledge of English and some adverse remarks which are there, I think that the Bank would be justified in not promoting him.

35. Clerk Serial No. 17 has already been promoted in 1960. He has occasionally worked as head clerk on some occasions. His record is consistently good and he had been granted extra increments also. I think the Bank was justified in holding him fit for promotion, provided, of course, there were not people senior to him who were fit for promotion.

36. The next man is serial No. 18—I find that his record is consistently good. He has been described as efficient and above average. He has been also granted extra increments on two occasions. He has also been described efficient, above average, competent and working in an exemplary manner. On the whole, I think that there is no good or cogent reason to supersede him.

37. Clerk serial No. 19 is one of the persons promoted in 1960. He appears to be a B.Com. and has also passed part I of Associate Indian Institute of Bankers examination and probably this qualification appears to have weighed with, the Bank in promoting him by superseding other people. His record is not bad but is not so outstanding as to give him promotion out of turn. If I may say so, at times there have been adverse remarks against him also.

38. I need not consider the cases of persons below Serial Number 17; because, in my opinion, Nos. 3, 10, 12 and 17 are fit for promotion and there are no cogent and valid reasons to supersede any of them. There are four vacancies and these four persons could and should have been promoted to these posts and the cases of persons below them need not be considered. I have however shown above

that serial number 18 is also quite fit and there is no good or cogent reason to supersede him and still he has been superseded by the promotion of number 19 and 30.

39. I may here mention that I have seen the record of serial number 30 and I have found that he has consistently a very good record. But this by itself would not, in my opinion, be enough to promote him over the heads of others specially when there are some clerks (like serial Nos. 12 and 18) whose records have been consistently good and also of 21, 25 and 28. I may mention here that I have not thought it necessary to discuss the cases of serial Nos. 20 to 30 but I have gone through the records and I find that at least clerks serial Nos. 21, 25 and 28 have consistently good record and there is absolutely no reason to supersede any of them. I have also gone through the records of others and though I feel that the Bank may be justified in not promoting serial numbers 20, 23, 24 and 29, I also feel that there are no good and cogent reasons to supersede clerks serial Nos. 22, 26 and 27.

40. To sum up, I think after having considered seniority, service records, efficiency, character, etc., of the different clerks, that out of the clerks upto serial Nos. 1 to 17, there are no good or cogent reasons to supersede clerks numbers 3, 10, 12 and 17 and that these clerks deserved promotion to the higher posts. Of these serial numbers 3 and 17 have been promoted. So far as No. 3 is concerned, he has not superseded any one. So far as No. 17 is concerned, however, he has superseded Nos. 10 and 12. The other two clerks who have been promoted are serial Nos. 19 and 30. Out of them serial No. 19—has superseded not only Nos. 10 and 12 but also serial number 18 who, as I said above, deserved promotion. So far as number 30 is concerned, he has superseded not only serial numbers 10 and 12 but also numbers 18, 21, 22, 25, 26 and 28. I might repeat that out of these clerks there are some clerks who have very good record and I feel that numbers 19 and 30 have been promoted mainly because of their being Graduates and having passed the Associate Indian Institute of Bankers examination Part I. I might repeat that this by itself would be no reason to supersede other clerks.

41. I do feel that clerks who have passed some banking examination may deserve some weightage because of it; but by itself it should not be sufficient to supersede all senior clerks. I would suggest to the Bank for its consideration to make some rules for giving weightage for passing such examination and if such rules are made and published and weightage is given for such examination (for instance by giving them seniority of some more years or the like), it could not be said to be unreasonable; but in the absence of any rules, to promote a clerk by saying that he is considered to be the most fit person only because of his having passed an examination would not be proper especially, when by doing so a very Junior Clerk would supersede a very Senior one. Sometimes it may be found that a clerk with practical experience may be better suited than a clerk who has just passed the examination and who has no or little practical experience. All this however is besides the point in the present case; because, as I said above, I see no good or cogent reason how the clerks referred to above should have been superseded.

42. I may mention here that when clerks Nos. 3, 17 and 19 were promoted in 1960, the Union raised an industrial dispute and there was an agreement in conciliation proceedings. It was agreed that the Bank would reconsider these promotions in the light of the criteria, if any, that may be laid down by the National Tribunal. Because of this agreement, the Bank wrote to the promoted clerks that the promotion may only be of a temporary nature and that if any industrial dispute is raised by the Union and eventually decided against the Bank, these clerks would be reverted to their previous ranks and salary. It also appears that an undertaking was taken from the clerks concerned to the effect that they would have no objection to their reverting to the previous rank and salary in the event a dispute being raised and decided against the Bank.

43. Incidentally, I may also mention here that in 1959 the Bank had promoted clerk serial No. 28 one D. Moitra as audit clerk. The Union raised a dispute about it and ultimately during conciliation proceedings the Bank agreed not to promote him for the time being. I must mention here that if the bank found clerk No. 28 to be of outstanding ability in 1959 so as to promote him over the heads of several people senior to him, I do not understand why they did not so promote him in 1960 when they promoted Nos. 3, 17 and 19 or at any rate why they did not promote him when they thought to promote No. 30 who is junior to him. If promotions were to be made like this, I feel that it would lead to unnecessary disputes. The Bank should not make out of turn promotions on the alleged ground of a person being found to be more fit than persons senior to him.

44. I might repeat that it is not the Bank's case that they had found clerks serial Nos. 10, 12, 18 and others are not fit for promotion and hence were superseded. All that Mr. Norrie contended was that the Bank considered serial Nos. 3, 17, 19 and 30 to be the fittest clerks and hence promoted them, meaning thereby that others may be fit, but were superseded because of availability of fitter persons. As I stated above, this is not proper. I may also mention that in their letters to their Head Office, the Calcutta Office of the Bank has not given any good or cogent reasons to supersede senior clerks. Actually, the Bank does not appear to have considered the case of the other clerks.

44. In the result, I hold that the promotion of Bibhuti Bhushan Burman had the effect of superseding only Nanak Lal Bose and Sushil Kumar Bose and that the said supersession is justified. I further hold that the promotion of T. N. Guha Roy had the effect of superseding not only N. L. Bose and S. K. Bose, but also G. D. Mullick, H. K. Chakravarty, K. L. Shah, S. K. Mukherjee, S. L. Mullick, Saradendu Chatterji, Gopi Ballav Bhadury, S. K. Banerjee, M. L. Bhattacharjee, A. K. Ghose, S. N. Bhadury, P. K. Ghose and Lalit Kishore Dave No. I and that out of these, the supersession of Gopi Ballav Bhadury and M. L. Bhattacharjee was not justified (the supersession of the rest being justified). I further hold that the promotion of H. K. Moitra had the effect of superseding not only the above persons, but also of Benoy B. Bhowmick and that his supersession was not justified. The promotion of Sankar P. Bose had the effect of superseding ten others, and it was not justified in the case of some. In view of the fact that there are four vacancies for promotions including the posts to which Shri B. B. Burman and T. N. Guha Roy have been appointed, it is directed that Shri Gopi B. Bhadury and M. L. Bhattacharjee should be promoted in place of H. K. Moitra and S. P. Bose who should be reverted.

The Bank shall pay Rs. 100 as cost to the Union.

I pass my award accordingly.

The 24th February, 1964.

[No. 51(22)/63-LRIV.]

(Sd.) L. P. DAVE,

Presiding Officer.

New Delhi, the 27th February 1964

S.O. 799.—Whereas the Government of the State of Kerala has, in pursuance of the powers conferred by clause (d) of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), nominated Shri T. Bhaskara Menon, Director of Health Services, Kerala, as a member of the Medical Benefit Council representing that Government:

Now, therefore, in pursuance of the provisions of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 2501, dated the 30th July, 1962, namely:—

In the said notification, under the heading "Members", under the sub-heading "[Nominated by the State Governments concerned under clause (d) of sub-section (1) of section 10]", in item (8) for the entries "Dr. S. Padmanabha Pillai, Administrative Medical Officer, Employees' State Insurance Scheme, Kerala, Trivandrum", the entries "Dr. T. Bhaskara Menon, Director of Health Services, Kerala, Trivandrum", shall be substituted.

[No. F. 1/5/64-HI/

ORDERS

New Delhi, the 27th February 1964

S.O. 800.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to Messrs P. T. Ankalesaria and Company, Bombay and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

SCHEDULE

Whether the suspension of Shri K. C. Pandey, Supervisor of Messrs P. T. Anklesaria and Company, Bombay, with effect from the 23rd September, 1963 and his subsequent dismissal on the 29th October, 1963 by the management, is justified? If not, to what relief is he entitled?

[No. 28/10/64-LRIV.]

S.O. 801.—Whereas an industrial dispute between certain banking companies and their workmen was referred for adjudication to the National Industrial Tribunal (Bank Disputes), Bombay and its award was published in the Gazette of India, Extraordinary, Part II Section 3 sub-section (ii), dated the 30th June, 1962 under S.O. No. 2028, dated the 13th June, 1962;

And, whereas, in the opinion of the Central Government, a difficulty or doubt has arisen as to the interpretation of the said award on the question specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the question for interpretation;

Now, therefore, in exercise of the powers conferred by section 38A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said question for decision to the Industrial Tribunal at Bombay constituted under section 7A of the said Act.

SCHEDULE

Whether keeping in view the provisions of paragraph 19.14 of the award of the National Industrial Tribunal (Bank Disputes), the overtime allowance for the period 1st January, 1962 to 31st July, 1962 to employees in banks should be calculated on the basis of the actual emoluments drawn by them during that period, that is, scales of pay as awarded by the National Tribunal or the emoluments drawn by them, prior to the enforcement of the said award?

[No. 55(42)/63-LRIV]

S.O. 802.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to Messrs P. T. Anklesaria and Company, Bombay and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

SCHEDULE

Whether the suspension of Shri Hari M. Hemnani with effect from the 19th July, 1963 and subsequent termination of his services from the 4th October, 1963 by Messrs P. T. Anklesaria and Company, Bombay is justified? If not to what relief is he entitled?

[No. 28/7/64-LRIV]

S.O. 803.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to Messrs P. T. Anklesaria and Company, Bombay and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

SCHEDULE

Whether the suspension of Shri Hari M. Goklani, Dock Supervisor of Messrs P. T. Anklesaria and Company, Bombay, with effect from the 23rd September, 1963 and his subsequent dismissal on the 18th November, 1963 by the Management, is justified? If not, to what relief is he entitled?

[No. 28/9/64-LRIV]

O. P. TALWAR, Under Secy.

New Delhi, the 25th February 1964

S.O. 804.—Whereas the Central Government, being satisfied that the public interest so required; had declared, by a notification made in pursuance of the provisions of the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), (being the notification of the Ministry of Labour and Employment, No. S.O. 2561, dated the 2nd September, 1963), service in hospitals and dispensaries carried on by or under the authority of the Central Government, to be a public utility service for the purposes of the said Act for a period of six months from the 7th September 1963;

And whereas the Central Government is of the opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said service to be a public utility service for the purposes of the said Act for a further period of six months from the 7th March, 1964.

[No. F. 1/8/64-LRI.]

ORDERS*New Delhi, the 22nd February 1964*

S.O. 805.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Lakurka Colliery of Messrs. Lakurka Coal Company Limited and Managing Agents of Messrs. H. V. Low and Company (Private) Limited, 3, Synagogue Street, Calcutta-I and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Lakurka Colliery in stopping the regular work of the colliery and rendering workmen of 6th Pit idle with effect from the 31st December, 1963 is justified? If not, to what relief are the workmen of the colliery entitled?

[No. 1/2/64-LR.II.]

New Delhi, the 29th February 1964

S.O. 806.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Digwadih Colliery of Messrs Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora (District Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of Shri S. K. Chakraborty, Munshi, by the management of Digwadih Colliery of Messrs Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora (District Dhanbad) with effect from 9th November, 1963 was justified? If not, to what relief is he entitled?

[No. 2/76/63-LRII.]

S.O. 807.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bhulanbararee Colliery of Messrs Bhulanbararee Coal Company Limited, Post Office Patherdih (District Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Bhulanbararee Colliery of Messrs Bhulanbararee Coal Company Limited, Post Office Patherdih, District Dhanbad are justified in changing system of payment of wages in the case of the trammers from time rate to piece rate with effect from the 10th June, 1963 and whether the piece rates fixed by the management are proper? If not, to what relief are the workmen entitled and what should be the piece rates for both underground and surface trammers?

[No. 2/93/63-LRII.]

S.O. 808.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Madhuban Lodna Colliery, Post Office Jharia (District Dhanbad) of Messrs Waliram and Company, Post Office Dhanbad (District Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the stoppage of work of the following workmen of Madhuban Lodna Colliery, Post Office Jharia (District Dhanbad) of Messrs Waliram and Company, Post Office Dhanbad (District Dhanbad) with effect from the dates noted against each was justified? If not, to what relief are the workmen entitled?

1. Shri Lalan Yadav, Bailing Cooly, 29th October 1963.
2. Shri Sukar Yadav, Line Cooly, 29th October 1963.
3. Shri Hari Yadav, Trammer, 29th October 1963.
4. Shri Chabila Yadav, Chhota Line Cooly, 29th October 1963.
5. Shri Bharat Yadav, Bailing Cooly, 29th October 1963.
6. Shri Jabbar Ansari, Hazri Cooly, 29th October 1963.
7. Shri Rambilas Yadav, Bailing Mazdoor, 23rd December 1963.

[No. 2/18/64-LRII.]

S.O. 809.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Sijua Colliery of Messrs. Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Sijua Colliery of Tata Iron and Steel Company Limited, Jamadoba, Jealgora Post Office, were justified in dismissing Shri Narain Koiri, Mining Sirdar from service of the Colliery? If not, to what relief is he entitled?

[No. 2/24/64-LRII.]

New Delhi, the 3rd March 1964

S.O. 810.—Whereas an Industrial dispute exists between Korea Colliery of National Coal Development Corporation Limited, Post Office Kurasia Colliery, District Surguja (Madhya Pradesh) and their workmen represented by the Madhya Pradesh Colliery Workers' Federation, Korea Branch, Post Office Kurasia Colliery, District Surguja (Madhya Pradesh), (hereinafter referred to as the Union);

And whereas the said Company and the Union have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), referred the said dispute to arbitration of the person named therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement, which was received by the Central Government on the 29th February, 1964.

FORM C

(See Rule 7)

AGREEMENT

(Under section 10A of the Industrial Disputes Act, 1947)

NAME OF PARTIES:

Representing Employer:—National Coal Development Corporation Ltd., Manager, Korea Colliery, P.O. Kurasia Colliery, District Surguja (M.P.).

Representing Workmen:—Madhya Pradesh Colliery Workers' Federation, Korea Branch, P.O. Kurasia Colliery, District Surguja (M.P.).

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri L. P. Dave, Presiding Officer, Central Government Industrial Tribunal, Calcutta:—

(i) Specific matters in dispute: Dismissal of Shri S. R. Gupta, Coal Cutting Machine Driver, Korea Colliery.

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.

(1) Manager, Korea Colliery National Coal Development Corporation Ltd., P.O. Kurasia Colliery, District Surguja (M.P.).

(2) The President, Madhya Pradesh Colliery Workers' Federation, Korea Branch, P.O. Kurasia Colliery District Surguja (M.P.).

(iii) Name of the Union, if any, representing the workmen in question.

Madhya Pradesh Colliery Workers' Federation, Korea Branch, P.O. Kurasia Colliery, District Surguja (M.P.).

(iv) Total number of workmen employed in the undertaking affected.

1,187.

(v) Estimated number of workmen affected or likely to be affected by the dispute.

1.

Witnesses:

1. Sd./- SUKHLAL SINGH,
Secretary,
M.P.C.F.,
Korea Branch.

Signature of the Parties:

2. Sd./- R. SHARMA,
Labour Welfare Officer,
Korea Colliery.

1. Sd./- R. S. SANDHU,
Manager,
Korea Colliery, N.C.D.C. Ltd.,
Representing Employer.

2. Sd./- M. L. GUPTA,
President,
Korea Branch,
Madhya Pradesh Colliery
Workers' Federation,
Representing Workers.

[No. 8/97/63-LRII.]

A. L. HANNA, Under Secy.

MINISTRY OF INDUSTRY

New Delhi, the 22nd February 1964

S.O. 811.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Woollen Textiles (Production and Distribution Control) Order, 1962, namely—

1. This Order may be called the Woollen Textiles (Production and Distribution Control) (Amendment) Order 1964.

2. In clause 10 of the Woollen Textiles (Production and Distribution Control) Order, 1962,—

(i) In sub-clause (1) paragraphs (a) and (b) shall be relettered as paragraphs (b) and (c) respectively and before paragraph (b) as so relettered, the following paragraph shall be inserted, namely :—

"(a) require any person to give such information in his possession with respect to any business carried on by that or any other person;"

(ii) after sub-clause (1) the following sub-clause shall be inserted, namely :—

"(1A) Every person who is required to give any information under paragraph (a) of sub-clause (1) shall comply with such requisition."

[No. F-17(16)TEX(D)/63.]

A. G. V. SUBRAHMAMIAN, Under Secy.

ORDER

New Delhi, the 27th February 1964

S.O. 812.—IDRA/6/16.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), read with Rules 5(1) and 8 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, till the 8th September, 1965, Shri A. B. Ganguli, to be a member of the Development Council established by the Order of the Government of India in the Ministry of Industry No. S.O. 2625 dated the 9th September, 1963 for the scheduled industries engaged in the manufacture of production of automobiles, Automobile Ancillary Industries, Transport Vehicle Industries, Tractors and Earth Moving Equipment and directs that following amendment shall be made in the said order, namely,

In the said Order, for entry No. 16 relating to Shri J. N. Talukdar, for following entry shall be substituted, namely:—

Shri A. B. Ganguli, Chairman, Calcutta State Transport Corporation, Calcutta.

[No. 1(3)/L.Pr./63.]

S. P. KRISHNAMURTHY, Under Secy.

(Indian Standards Institution)

New Delhi, the 26th February 1964

S.O. 813.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that the marking fee per unit for Cables for Vehicles, details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 16th March 1964.

THE SCHEDULE

Sl. No.	Product/Class of Product	No. and title of relevant Indian Standard	Unit	Marking fee per Unit ₹
1	2	3	4	5
1	Cables for Vehicles	IS : 2465-1963 Specification for Cables for Vehicles.	1000 Metres	25 nP per unit for the first 5000 units, 15 nP per unit for the 5001st unit and above.

[No. MD/18:2]

New Delhi, the 27th February 1964

S.O. 814.—In the notification published under S.O. 241 in Gazette of India, Part II, Sub-Section 3(ii), dated 18th January 1964, in licence No. CN/L-610 dated 31st December 1963 held by M/s Asian Cables Corp. Ltd., Thana, the following variety has been included from 25th February 1964:

PVC Insulated and PVC Sheathed Cables with Aluminium Conductors, 250 Volts Grade.

[No. MD/12:1183.]

S. K. SEN,
Head of the Certification Marks Department.

MINISTRY OF FINANCE

(Department of Economic Affairs)

ERRATUM

In Ministry of Finance (Department of Economic Affairs) Notification No. 5(3)-P/63, dated 19th September, 1963, published in the Gazette of India, Part II—Section 3(ii), dated 28th September, 1963 as S.O. 2740, the following correction is to be made:—

Page 3508, last but one line—

for “Provident Funds estab-”
read “Provident Fund estab-”